



Order under Subsection 87(1) Residential Tenancies Act, 2006

Citation: Borzabadi Farahani v Lan Kai, 2023 ONLTB 30210

Date: 2023-04-12

File Number: LTB-L-009366-23

In the matter of: 600 Rye Grass Way
Ottawa, ON K2J 6Z9

Between: Maryam Pezhan Moheb Seraj Landlords
Saied Borzabadi Farahani
Yasaman Borzabadi Farahani

And

Yu Lan Kai Tenant

Maryam Pezhan Moheb Seraj, Saied Borzabadi Farahani and Yasaman Borzabadi Farahani (the 'Landlords') applied for an order requiring Yu Lan Kai (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on March 29, 2023.

Only the Landlord Saied Borzabadi Farahani and the Landlords' Legal Representative Reyhaneh Lajevardi attended the hearing.

As of 9:52 am, the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlords' evidence.

Determinations:

1. As of the hearing date, the Landlords were not sure if the Tenant was still in possession of the rental unit. That said, the Landlords did not file an application for a determination under s. 79 of the *Residential Tenancies Act, 2006* (the 'Act') and requested an order for the arrears owing to the end of March 2023.
2. The Tenant did not pay the total rent they were required to pay for the period from October 1, 2022 to March 31, 2023.
3. The lawful rent is \$2,800.00. It is due on the 1st day of each month.

4. The Tenant has not made any payments since the application was filed.
5. The rent arrears owing to March 31, 2023 are \$16,800.00
6. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.

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It is ordered that:

7. The Tenant shall pay to the Landlord \$17,001.00. This amount includes rent arrears owing up to March 31, 2023 and the cost of the application.
8. If the Tenant does not pay the Landlord the full amount owing on or before April 23, 2023, the Tenant will start to owe interest. This will be simple interest calculated from April 24, 2023 at 6.00% annually on the balance outstanding.

April 12, 2023 –
Date Issued

Jagger Benham
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

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