



**Order under Section 69
Residential Tenancies Act, 2006**

Citation: KELE HOLDINGS INC v Soussan, 2023 ONLTB 27842

Date: 2023-04-06

File Number: LTB-L-045898-22

In the matter of: MAIN, 386 SPADINA RD
TORONTO ON M5P2V9

Between: KELE HOLDINGS INC Landlord

And

KELE HOLDINGS Ashley Soussan Tenant

INC (the 'Landlord') applied for an order to terminate the tenancy and evict Ashley Soussan (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on March 13, 2023.

The Landlord's Legal Representative Ohad Kondor and the Tenant attended the hearing

Determinations:

1. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the N4 Notice or before the date the application was filed.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Tenant vacated the rental unit on September 30, 2022.
4. The rent arrears owing to September 30, 2022 are \$0.00.
5. The Tenant had been on a month to month lease and was giving the Landlord monthly notice of intention to vacate. When the Tenant failed to vacate the arrears of rent were paid up, albeit a month late each time. As a result, the last month's rent deposit could only

be applied to the last month in which the Tenant actually vacated. The Board was satisfied that when the application was filed the Tenant owed arrears of rent.

6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of September 30, 2022, the date the Tenant moved out of the rental unit

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2. The Tenant shall pay to the Landlord \$186.00. This amount includes the cost of filing the application.
3. If the Tenant does not pay the Landlord the full amount owing on or before April 17, 2023, the Tenant will start to owe interest. This will be simple interest calculated from April 18, 2023 at 5.00% annually on the balance outstanding.

April 6, 2023

Date Issued

Robert Patchett

Vice Chair, Landlord and Tenant Board

15 Grosvenor St, 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.

