



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

Citation: Rasheed v Singh, 2023 ONLTB 27298

Date: 2023-03-23

File Number: LTB-L-021517-22

In the matter of: 466 BRISDALE DR
BRAMPTON ON L7A4J4

Between: Qasim Rasheed Landlord

And

Amandeep Singh and Kamaldeep Singh Tenants

Qasim Rasheed (the 'Landlord') applied for an order to terminate the tenancy and evict Amandeep Singh and Kamaldeep Singh (the 'Tenants') because the Tenant did not pay the rent that the Tenants owes (L1 application). The Landlord also applied to terminate the tenancy and evict the Tenants because the Tenants have been persistently late at paying their rent (L2 application).

Only the Landlord's family member Uzma Khan attended the hearing. Uzma Khan was permitted to represent the Landlord as they had the Landlord's authorization, received no payment for the representation, and have not represented anyone else at a court or tribunal in the last year.

As of 9:26a.m., the Tenants were 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 Landlord's evidence.

Determinations:

1. The Tenants vacated the rental unit as of May 10, 2023 and as such the Landlord proceed with an arrears only application.
2. The Landlord served the Tenants with a valid Notice to End Tenancy Early for Nonpayment of Rent (N4 Notice). The Tenants 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.
3. The Tenants were in possession of the rental unit on the date the application was filed.
4. The Tenants vacated the rental unit on May 10, 2022. Rent arrears are calculated up to the date the Tenant vacated the unit.

5. The lawful rent is \$1,600. It was due on the 1st day of each month.
6. The Tenants have not made any payments since the application was filed.
7. The rent arrears owing to May 10, 2022 are \$2,626.00.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
9. There is no last month's rent deposit.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated as of May 10, 2022, the date the Tenant moved out of the rental unit
2. The Tenants shall pay to the Landlord \$2,812.00. This amount includes rent arrears owing up to the date the Tenants moved out of the rental unit and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.
3. If the Tenants do not pay the Landlord the full amount owing on or before April 3, 2023, the Tenants will start to owe interest. This will be simple interest calculated from April 4, 2023 at 5.00% annually on the balance outstanding.
4. The Landlord's L2 application is withdrawn.

March 23, 2023

Date Issued

Amanda Kovats

Member, 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.

**Schedule 1
SUMMARY OF CALCULATIONS**

A. Amount the Tenant must pay as the tenancy is terminated

Rent Owing To Move Out Date	\$2,626.00
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$0.00
Less the amount the Tenant paid into the LTB since the application was filed	- \$0.00
Less the amount of the last month's rent deposit	- \$0.00
Less the amount of the interest on the last month's rent deposit	- \$0.00
Total amount owing to the Landlord	\$2,812.00