



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

Citation: Kaur billg v Lott, 2023 ONLTB 25858

Date: 2023-03-21

File Number: LTB-L-038174-22

In the matter of: 720 Arthur Park Avenue,
Wood Stock Ontario, N4T 0G8

Between: Gurdev Singh billg and Navjit Kaur billg Landlord

And

Heather Hillsdon and John Lott Tenants

Gurdev Singh billg and Navjit Kaur billg (the 'Landlord') applied for an order to terminate the tenancy and evict Heather Hillsdon and John Lott (the 'Tenants') because the Tenants did not pay the rent that the Tenants owes.

This application was heard by videoconference on March 2, 2023.

Only the Landlords and their Representative Russell Preddie attended the hearing.

As of 1:30p.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 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.
2. The Tenants were in possession of the rental unit on the date the application was filed.
3. The Tenants vacated the rental unit on November 17, 2022. Rent arrears are calculated up to the date the Tenant vacated the unit.
4. The lawful rent is \$2,880.00. It was due on the 1st day of each month.
5. The Tenant has paid \$13,285.00 to the Landlord since the application was filed.
6. The rent arrears owing to November 17, 2022 are \$5,604.56.

7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. At the hearing the Landlord submitted that they did collect a rent deposit from the Tenants but they already applied it to previous arrears and are there no longer holding it. However, the Landlord submitted that interest had not been paid on the rent deposit between

File Number: LTB-L-038174-22

December 1, 2021 and June 1, 2022. As such interest in the amount of 14.39 is owing to the Tenants.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated as of November 17, 2022, the date the Tenants moved out of the rental unit
2. The Tenants shall pay to the Landlord \$5,776.17. This amount includes rent arrears owing up to the date the Tenant moved out of the rental unit and the cost of filing the application. Interest owing on the rent deposit has been subtracted.
3. If the Tenants do not pay the Landlord the full amount owing on or before April 1, 2023, the Tenant will start to owe interest. This will be simple interest calculated from April 2, 2023 at 5.00% annually on the balance outstanding.

March 21, 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.

File Number: LTB-L-038174-22

**Schedule 1
SUMMARY OF CALCULATIONS**

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

Rent Owing To Move Out Date	\$18,889.56
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$13,285.00
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	- \$14.39
Less the amount the Landlord owes the Tenant for an {abatement/rebate}	- \$0.00
Less the amount of the credit that the Tenant is entitled to	- \$0.00
Total amount owing to the Landlord	\$5,776.17