



Order under Section 69 Residential Tenancies Act, 2006

Citation: Ranee Management v Anderson, 2023 ONLTB 21787

Date: 2023-02-28

File Number: LTB-L-030424-22

In the matter of: 417, 470 SENTINEL RD
NORTH YORK ON M3J1V6

Between: Ranee Management Landlord

And

Gabriella Angeleena Ganouri and Orlando Tenants
Albert Anderson

Ranee Management (the 'Landlord') applied for an order to terminate the tenancy and evict Gabriella Angeleena Ganouri and Orlando Albert Anderson (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 19, 2023.

The Tenant Gabriella Angeleena Ganouri attended the hearing. The Landlord was represented at the hearing by Ilana Glickman.

Determinations:

1. The Landlord served the Tenants with a valid Notice to End Tenancy Early for Non-payment 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. As of the hearing date, the Tenants were still in possession of the rental unit.
3. The lawful rent is \$1,820.58. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$59.85. This amount is calculated as follows: $\$1,820.58 \times 12$, divided by 365 days.
5. The Tenants have paid \$4,351.04 to the Landlord since the application was filed.
6. The rent arrears owing to January 31, 2023 are \$12,347.70.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. There is no last month's rent deposit.

9. **At the hearing the parties agreed on the amount of arrears owing, and the tenancy would terminate April 30, 2023. Therefore, unless the Tenants void the order as set out below, the tenancy will terminate April 30, 2023.**

It is ordered that:

1. The tenancy is terminated unless the Tenants void this order.
2. **The Tenants may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**
 - \$14,354.28 if the payment is made on or before February 28, 2023. See Schedule 1 for the calculation of the amount owing.

OR

 - \$16,174.86 if the payment is made on or before March 31, 2023. See Schedule 1 for the calculation of the amount owing.

OR

 - \$17,995.44 if the payment is made on or before April 30, 2023. See Schedule 1 for the calculation of the amount owing.
3. The Tenants may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenant has paid the full amount owing as ordered plus any additional rent that became due after April 30, 2023, but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenant may only make this motion once during the tenancy.
4. **If the Tenants do not pay the amount required to void this order the Tenant must move out of the rental unit on or before April 30, 2023**
5. If the Tenants do not void the order, the Tenants shall pay to the Landlord \$11,850.27. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.
6. The Tenants shall also pay the Landlord compensation of \$59.85 per day for the use of the unit starting January 20, 2023, until the date the Tenant moves out of the unit.
7. If the Tenants do not pay the Landlord the full amount owing on or before March 11, 2023, the Tenants will start to owe interest. This will be simple interest calculated from March 12, 2023, at 5.00% annually on the balance outstanding.
8. If the unit is not vacated on or before April 30, 2023, then starting May 1, 2023, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord on or after May 1, 2023.

February 28, 2023

Date Issued

Bryan Delorenzi

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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on November 1, 2023 if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.

2023 ONL TB 21787 (CanLII)

**Schedule 1
SUMMARY OF CALCULATIONS**

A. Amount the Tenants must pay to void the eviction order and continue the tenancy if the payment is made on or before February 28, 2023

Rent Owing To February 28, 2023	\$18,519.32
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$4,351.04
Total the Tenant must pay to continue the tenancy	\$14,354.28

B. Amount the Tenants must pay to void the eviction order and continue the tenancy if the payment is made on or before March 31, 2023

Rent Owing To March 31, 2023	\$20,339.90
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$4,351.04
Total the Tenant must pay to continue the tenancy	\$16,174.86

C. Amount the Tenants must pay to void the eviction order and continue the tenancy if the payment is made on or before April 30, 2023

Rent Owing To April 30, 2023	\$22,160.48
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$4,351.04
Less the amount the Tenant paid into the LTB since the application was filed	- \$0.00
Total the Tenant must pay to continue the tenancy	\$17,995.44

D. Amount the Tenant must pay if the tenancy is terminated

Rent Owing To Hearing Date	\$16,015.31
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$4,351.04
Total amount owing to the Landlord	\$11,850.27
Plus daily compensation owing for each day of occupation starting January 20, 2023	\$59.85 (per day)