



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

Citation: Ramsamujh v Ramnarayan, 2023 ONLTB 22605

Date: 2023-02-27

File Number: LTB-L-037081-22

In the matter of: 22 Sentimental Way
Brampton, ON L7A 2R9

Between: Davin Ramsamujh Landlords
Michael Nandlall

And

Dayna Ramnarayan Tenants
Ty-Vari Taylor-Morgan

Davin Ramsamujh and Michael Nandlall (the 'Landlords') applied for an order to terminate the tenancy and evict Dayna Ramnarayan and Ty-Vari Taylor-Morgan (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

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

Only the Landlord's Legal Representative Sarah Teal attended the hearing.

As of 2:02 pm, 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 Landlords' evidence.

Determinations:

1. The Landlords 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 December 1, 2022. Rent arrears are calculated up to the date the Tenants vacated the unit.
4. The lawful rent is \$2,479.40. It was due on the 1st day of each month.
5. The Tenants have not made any payments since the application was filed.
6. The rent arrears owing to December 1, 2022 are \$24,610.91.

7. The Landlords 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.

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It is ordered that:

9. The tenancy between the Landlords and the Tenants is terminated as of December 1, 2022, the date the Tenants moved out of the rental unit
10. The Tenants shall pay to the Landlords \$24,796.91. 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.
11. If the Tenants do not pay the Landlords the full amount owing on or before March 10, 2023, the Tenants will start to owe interest. This will be simple interest calculated from March 11, 2023 at 5.00% annually on the balance outstanding.

February 27, 2023

Date Issued

Jagger Benham

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 Tenants must pay as the tenancy is terminated

| | |
|--|--------------------|
| Rent Owing To Move Out Date | \$24,610.91 |
| Application Filing Fee | \$186.00 |
| Total amount owing to the Landlords | \$24,796.91 |