



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

**Citation:** Najmudin Properties and investment Corporation v Koopmans, 2023 ONLTB 19144

**Date:** 2023-02-27

**File Number:** LTB-L-029181-22

**In the matter of:** 6199 Cadham Street  
Niagara Falls ON L2G3A3

**Between:** Najmudin Properties and investment Corporation Landlord

**And**

Michel Disley, Robert Koopmans and Tirina Koopmans Tenants

Najmudin Properties and investment Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Michel Disley, Robert Koopmans and Tirina Koopmans (the 'Tenants') because the Tenant did not pay the rent that the Tenants owe.

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

The Landlord was represented at the hearing by Hassanali Najmudin. 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 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. The Tenants were in possession of the rental unit on the date the application was filed.
3. The Tenants vacated the rental unit on August 31, 2022. Rent arrears are calculated up to the date the Tenant vacated the unit.
4. The rent arrears owing to August 31, 2022, are \$6,200.00.
5. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
6. There is no last month's rent deposit.

**It is ordered that:**

1. The tenancy is terminated as of August 31, 2022, the date the Tenants moved out of the rental unit
2. The Tenants shall pay to the Landlord \$6,386.00. 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. 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 March 10, 2023, the Tenant 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**

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Bryan Delorenzi  
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	\$6,200.00
Application Filing Fee	\$186.00
NSF Charges	\$0.00
<b>Less</b> the amount the Tenant paid to the Landlord since the application was filed	- \$0.00
<b>Less</b> the amount the Tenant paid into the LTB since the application was filed	- \$0.00
<b>Less</b> the amount of the last month's rent deposit	- \$0.00
<b>Less</b> the amount of the interest on the last month's rent deposit	- \$0.00
<b>Less</b> the amount the Landlord owes the Tenant for an {abatement/rebate}	- \$0.00
<b>Less</b> the amount of the credit that the Tenant is entitled to	- \$0.00
<b>Total amount owing to the Landlord</b>	<b>\$6,386.00</b>