



Order under Subsection 87(1) Residential Tenancies Act, 2006

Citation: Gao v Abkenar, 2023 ONLTB 19835

Date: 2023-02-16

File Number: LTB-L-036096-22

In the matter of: 2903, 11 BOGERT AVE
NORTH YORK ON M2N1K4

Between: Zhuo Gao Landlord

And

Zohreh Ashouri Abkenar Tenant

Zhuo Gao (the 'Landlord') applied for an order requiring Zohreh Ashouri Abkenar (the 'Tenant') to pay the rent that the Tenant owes.

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

The Landlord's Agent Jack Ma and the Tenant attended the hearing.

Determinations:

1. The Landlord's N4 notice of termination was deemed defective because it indicated that the Tenant made a payment of the full monthly rent in the month that the Landlord alleged no payment was made. As a result, the Landlord requested to convert the application to an L9 application for arrears only. The board consented to this request.
2. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The Tenant did not pay the total rent they were required to pay for the period from December 1, 2021 to February 28, 2023.
4. The lawful rent is \$3,200.00. It is due on the first day of each month.
5. The Tenant has not made any payments since the application was filed.
6. The arrears owing for the period ending February 28, 2023 was \$25,900.00.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.



It is ordered that:

1. The Tenant shall pay to the Landlord \$26,086.00. This amount includes rent arrears owing up to February 28, 2023 and the cost of the application.
2. If the Tenant does not pay the Landlord the full amount owing on or before February 27, 2023, the Tenant will start to owe interest. This will be simple interest calculated from February 28, 2023 at 5.00% annually on the balance outstanding.

February 16, 2023

Date Issued

Robert Patchett

Vice Chair, 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.