



Order under Section 69 Residential Tenancies Act, 2006

Citation: Bandarchi v Jellifo, 2023 ONLTB 20080

Date: 2023-02-15

File Number: LTB-L-027127-22

In the matter of: 292 MCBRIDE CRES
NEWMARKET ON L3X2W3

Between: Ahamd Bandarchi

Landlord

And

John Jellifo

Tenant

Ahamd Bandarchi (the 'Landlord') applied for an order to terminate the tenancy and evict John Jellifo (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 17, 2023.

The Landlord and Landlord's Agent, Hooman Bandarchi, attended the hearing.

As of 2:00 p.m., the Tenant was 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 Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant 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 Tenant was still in possession of the rental unit.
3. The lawful rent is \$2,350.00. It is due on the 1st day of each month.
4. After the application was filed, the Tenant paid all arrears owing for the period ending January 31, 2023.
5. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
6. The only amount outstanding is the Landlord's cost of filing the application. As a result, the order will be limited to costs only.

It is ordered that:

1. The Tenant shall pay to the Landlord \$186.00, which represents the cost of filing the application with the Board.
2. If the Tenant does not pay the Landlord the full amount owing by February 26, 2023, the Tenant will start to owe interest. This will be simple interest calculated from February 27, 2023 at 5.00% annually on the balance outstanding.

February 15, 2023
Date Issued

Susan Priest
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.