



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

**Citation:** Ghazi v Walton, 2023 ONLTB 18811

**Date:** 2023-02-13

**File Number:** LTB-L-032031-22

**In the matter of:** 176 WILLIAM ROE BLVD  
NEWMARKET ON L3Y1B3

**Between:** Sanaz Ghazi Landlord

**And**

Bradley James and Lora Lyn Walton Tenants

Sanaz Ghazi (the 'Landlord') applied for an order to terminate the tenancy and evict Bradley James and Lora Lyn Walton (the 'Tenants') because the Tenants did not pay the rent that the Tenants owes.

This application was heard by videoconference on January 30, 2023.

Only the Landlord's Representative Katy Sanaye attended the hearing.

As of 10:25a.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 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 July 10, 2022. Rent arrears are calculated up to the date the Tenant vacated the unit.
4. The lawful rent is \$2,000.00. It was due on the 18th day of each month.
5. The Tenants have not made any payments since the application was filed.
6. The rent arrears owing to July 10, 2022 are \$5,512.25.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

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8. There Landlord's applied the rent deposit they were holding to arrears that pre-date the application. However, the Landlord owes the Tenant \$5.00 in interest for the period between April 1, 2021 and March 17, 2022.

**It is ordered that:**

1. The tenancy between the Landlord and the Tenants is terminated as of July 10, 2022, the date the Tenant moved out of the rental unit
2. The Tenants shall pay to the Landlord \$5,693.25. 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, minus the interest on the rent deposit owing to the Tenants. 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 February 24, 2023, the Tenant will start to owe interest. This will be simple interest calculated from February 25, 2023 at 5.00% annually on the balance outstanding.

**February 13, 2023**

**Date Issued**

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Amanda Kovats

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	\$5,512.25
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	- \$5.00
<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>\$5,693.25</b>