



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

**Citation:** AMSTAR POOL I LP v Lajeunesse, 2023 ONLTB 19086

**Date:** 2023-02-07

**File Number:** LTB-L-033224-22

**In the matter of:** 309, 24 TYNDALL AVE  
TORONTO ON M6K2E3

**Between:** AMSTAR POOL I LP Landlord

**And**

Bilal el Mhadebi and Normand Jr. Tenants  
Lajeunesse

AMSTAR POOL I LP (the 'Landlord') applied for an order to terminate the tenancy and evict Bilal el Mhadebi and Normand Jr. Lajeunesse (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on January 31, 2023.

Only the Landlord's Legal Representative Michelle Forrester attended the hearing.

As of 10:23 a.m., 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 June 30, 2022. Rent arrears are calculated up to the date the Tenants vacated the unit.
4. The lawful rent is \$1,395.04. 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 June 30, 2022 are \$2,790.08.
7. The Landlord 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.

2023 ONLTB 19086 (CanLII)

**It is ordered that:**

1. The tenancy between the Landlord and the Tenants is terminated as of June 30, 2022, the date the Tenant moved out of the rental unit
2. The Tenants shall pay to the Landlord \$2,976.08. 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.
3. If the Tenants do not pay the Landlord the full amount owing on or before February 18, 2023, the Tenants will start to owe interest. This will be simple interest calculated from February 19, 2023 at 5.00% annually on the balance outstanding.

**February 7, 2023**

**Date Issued**

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Margo den Haan

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	\$2,790.08
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 of the last month's rent deposit	- \$0.00
<b>Total amount owing to the Landlord</b>	<b>\$2,976.08</b>