



Order under Section 69 Residential Tenancies Act, 2006

Citation: 280 Wellesley Residences v Zewudia, 2023 ONLTB 17110

Date: 2023-01-31

File Number: LTB-L-026924-22

In the matter of: 1415, 280 WELLESLEY ST E
TORONTO ON M4X1G7

Between: 280 Wellesley Residences Landlord

And

Tsedale Zewudia Tenant

280 Wellesley Residences (the 'Landlord') applied for an order to terminate the tenancy and evict Tsedale Zewudia (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 16, 2023.

Only the Landlord's legal representative, Charlie Bobrowsky, attended the hearing.

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 \$1,258.53. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$41.38. This amount is calculated as follows: $\$1,258.53 \times 12$, divided by 365 days.
5. The Tenant has paid \$10,530.34 to the Landlord since the application was filed.
6. The rent arrears owing to January 31, 2023 are -\$0.09.
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.
9. I have considered all of the evidence presented at the hearing and all of the oral testimony and although I may not have referred to each piece of evidence individually or referenced all of the testimony, I have considered it when making my determinations.

10. This order contains all reasons for the determinations and order made. No further reasons will be issued.

It is ordered that:

1. The Tenant shall pay to the Landlord \$185.91. This amount is the balance of the filing fee owing up to January 31, 2023. See Schedule 1 for the calculation of the amount owing.
2. If the Tenant does not pay the Landlord the full amount owing on or before February 12, 2023, the Tenant will start to owe interest. This will be simple interest calculated from February 13, 2023 at 5.00% annually on the balance outstanding.

January 31, 2023

Date Issued

Greg Brocanier

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.

**Schedule 1
SUMMARY OF CALCULATIONS**

A. Amount the Tenant must pay to the Landlord.

Rent Owing To January 31, 2023	\$10,530.25
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$10,530.34
Less the amount the Tenant paid into the LTB since the application was filed	- \$0.00
Less the amount the Landlord owes the Tenant for an{abatement/rebate}	- \$0.00
Less the amount of the credit that the Tenant is entitled to	- \$0.00
Total the Tenant must pay to the Landlord.	\$185.91

2023 ONL TB 17110 (CanLII)