



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

Citation: SIREG MANAGMENT INC. v Cardoso, 2023 ONLTB 17396

Date: 2023-01-30

File Number: LTB-L-030641-22

In the matter of: 25, 80 CHURCHILL ST WATERLOO
ON N2L2X2

Between: SIREG MANAGMENT INC. Landlord

And

Aminda Cardoso Tenant

SIREG MANAGMENT INC. (the 'Landlord') applied for an order to terminate the tenancy and evict Aminda Cardoso (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 19, 2023.

Only the Landlord's Agent Laveena Sansal attended the hearing.

As of 1:57 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 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. N4 notice stated on line 1, the monthly rent was \$1700.085 and on Line 2 \$1715.34. The Landlord submitted that this reflects a rental increase that was effective May 1, 2022. However, the Landlord was not able to submit any of the related rent increase paperwork. As such, the Board was not satisfied that the Landlord had served a valid N4 notice of termination.
3. The Landlord requested to convert the application to an L9 application for arrears only and the Board consented.

4. As of the hearing date, the Tenant was still in possession of the rental unit.
5. The lawful rent is \$1,715.34. It is due on the first day of each month.
6. The rent arrears owing to January 31, 2023, are \$18,743.40.

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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.

It is ordered that:

1. The Tenant shall pay to the Landlord \$18,929.40, which represents the amount of rent owing up to January 31, 2023, as well as the application filing fee.
2. If the Tenants do not pay the Landlord the full amount owing on or before January 30, 2023, the Tenants will start to owe interest. This will be simple interest calculated from January 31, 2023, at 5.00% annually on the balance outstanding.

January 30, 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.

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**Schedule 1 SUMMARY OF
CALCULATIONS**

A.

Rent Owing To January 31, 2023	\$18,743.40
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$0.00
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 continue the tenancy	\$18,929.40