



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

Citation: Darashani v Matte, 2022 ONLTB 13888

Date: 2022-12-07

File Number: LTB-L-004126-22

In the matter of: 3A, 205 FIRST STREET
CORNWALL ON K6H1K9

Between: Shabbir Darashani Landlord

And

Nathalie Matte,
Scott Campbell Tenants

Shabbir Darashani (the 'Landlord') applied for an order to terminate the tenancy and evict Nathalie Matte, Scott Campbell (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on October 11, 2022. Only the Landlord and their legal representative, G. Foss attended the hearing.

As of 10:12am, 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. As of the hearing date, the Tenants were still in possession of the rental unit.
2. The Landlord's N4 was invalid as the rental periods were not properly identified, as the Landlord's notice was invalid, I gave the Landlord the option to proceed for arrears only with no possibility of termination of the tenancy for this money, or to begin the process again. The Landlord chose to seek an award for arrears only.
3. Rent arrears are calculated up to October 31, 2022.
4. The lawful rent is \$700.00. It was due on the 1st day of each month.
5. The Tenant has paid \$4,900.00 to the Landlord since the application was filed.
6. The rent arrears owing to October 31, 2022 are \$3,300.00.
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 \$3,486.00. This amount includes rent arrears owing up to October 31, 2022, and the cost of filing the application.
2. If the Tenant does not pay the Landlord the full amount owing on or before December 18, 2022, the Tenant will start to owe interest. This will be simple interest calculated from December 19, 2022 at 4.00% annually on the balance outstanding.
3. If the Landlord does not pay the Tenant the full amount owing on or before December 18, 2022, the Landlord will start to owe interest. This will be simple interest calculated from December 19, 2022 at 4.00% annually on the balance outstanding.

December 7, 2022

Date Issued

Curtis Begg

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.