



**Order under Subsection 87(1) and Section 77
Residential Tenancies Act, 2006**

Citation: Bhamani v Kalsi, 2022 ONLTB 12991

Date: 2022-11-30

File Number: LTB-L-060566-22

In the matter of: 2110, 75 Eglinton Avenue
Mississauga Ontario L5R0E5

Between: Ayaz Bhamani Landlords
Del Condominium Rentals Inc

And

Karanjeet Kalsi Tenant

Ayaz Bhamani and Del Condominium Rentals Inc (the 'Landlords') applied for an order requiring Karanjeet Kalsi (the 'Tenant') to pay the rent that the Tenant owes. The Landlord also applied for an order to terminate the tenancy and evict the Tenant because the Tenant entered into an agreement to terminate the tenancy.

This application was heard by videoconference on November 17, 2022. Only the Landlords legal representative, Edwin Sadasivam, attended the hearing. As of 9:44am the Tenant was not present or represented at the hearing although properly serviced with notice of the hearing by the Board. 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 Tenant vacated the rental unit on July 31, 2022. The Tenant was in possession of the rental unit on the date the application was filed.
2. The Tenant did not pay the total rent they were required to pay for the period from June 1, 2022 to July 31, 2022.
3. The lawful rent is \$1,816.54. It is due on the 1st day of each month.
4. The Tenant has not made any payments since the application was filed.
5. The tenancy ended on July 31, 2022, as a result of the Tenant moving out in accordance with an agreement to terminate the tenancy. Therefore, the Tenant's obligation to pay rent also ended on that date.
6. The rent arrears and daily compensation owing to July 31, 2022 are \$2,934.16
7. The Landlord collected a rent deposit of \$1,795.00 from the Tenant and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy is terminated.

8. Interest on the rent deposit, in the amount of \$11.88 is owing to the Tenant for the period from December 30, 2020 to June 30, 2022.
9. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The Tenant is terminated on July 31, 2022. The date the Tenant gave vacant possession of the rental unit to the Landlord.
2. The Tenant shall pay to the Landlord \$1,328.28. This amount includes rent arrears owing up to July 31, 2022 and the cost of the application minus the rent deposit and interest owing.
3. If the Tenant does not pay the Landlord the full amount owing on or before December 11, 2022, the Tenant will start to owe interest. This will be simple interest calculated from December 12, 2022 at 4.00% annually on the balance outstanding.

November 30, 2022
Date Issued

Terri van Huisstede
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.