



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

Citation: Tiwari v Razaq, 2022 ONLTB 12949

Date: 2022-11-23

File Number: LTB-L-023317-22

In the matter of: 40, 170 PALACEBEACH TRAIL
STONE CREEK ON L8E0H2

Between: Sumeet Tiwari Landlord

And

Mohammad Razaq Tenant

Sumeet Tiwari (the 'Landlord') applied for an order requiring Mohammad Razaq (the 'Tenant') to pay the rent that the Tenant owes.

The Landlord also claimed charges related to NSF cheques.

This application was heard by videoconference on November 10, 2022, at 9:00 A.M.

Only the Landlord attended the hearing.

As of 10:07 A.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 Tenant vacated the rental unit on August 16, 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 March 7, 2022 to August 16, 2022.
3. The lawful rent is \$2,650.00. 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 August 16, 2022, as a result of the Tenant moving out in accordance with a notice of termination, LTB order or 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 August 16, 2022 are \$13,250.00.
7. There is no last month's rent deposit.

8. The Landlord is entitled to \$20.00 to reimburse the Landlord for bank fees the Landlord incurred as a result of 1 cheque given by or on behalf of the Tenant which was returned NSF.
9. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The Tenant shall pay to the Landlord \$13,456.00. This amount includes rent arrears owing up to August 16, 2022 and the cost of the application and unpaid NSF charges.
2. If the Tenant does not pay the Landlord the full amount owing on or before December 4, 2022, the Tenant will start to owe interest. This will be simple interest calculated from December 5, 2022 at 4.00% annually on the balance outstanding.

November 23, 2022

Date Issued

Steven Mastoras

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.