



Order under Section 69
Residential Tenancies Act, 2006

File Number: TSL-16066-20

In the matter of: 245 WALMER ROAD
TORONTO ON M5R3P7

Between: Yehia Taha Mostafa
Wafaa Amin

and

Michael Richard Utsal

**I hereby certify this is a
true copy of an Order dated**

APRIL 14 2021

JW

Landlord and Tenant Board

Landlords

Tenant

Yehia Taha Mostafa and Wafaa Amin (the 'Landlords') applied for an order to terminate the tenancy and evict Michael Richard Utsal (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on November 25, 2020. Both the Landlords and the Tenant attended the hearing.

Determinations:


1. The Tenant has not paid the total rent the Tenant was required to pay for the period from April 15, 2020 to December 14, 2020. Because of the arrears, the Landlords served a Notice of Termination effective May 24, 2020.
2. The Tenant vacated the rental unit on August 24, 2020.
3. The Tenant was in possession of the rental unit when the application was filed.
4. The lawful monthly rent is \$5,800.00.
5. The Landlord incurred costs of \$175.00 for filing the application and is entitled to reimbursement of those costs.
6. The Tenant made no payments after the application was filed.
7. The Landlord is seeking rent arrears up to and including November, 2020 as the result of a lease agreement. However, the Landlord and Tenant Board's (the "Board") Interpretation Guideline 11 is clear: the Board will only order any arrears owing up to the

date the Tenant vacated the rental unit. This does not preclude the Landlord from pursuing any other funds that may be owing in another court jurisdiction.

It is ordered that:

1. The Tenant shall pay to the Landlords \$25,249.41*, which represents the amount of rent owing and compensation up to August 24, 2020.
2. The Tenant shall also pay to the Landlords \$175.00 for the cost of filing the application.
3. If the Tenant does not pay the Landlords the full amount owing* on or before April 25, 2021, the Tenant will start to owe interest. This will be simple interest calculated from April 26, 2021 at 2.00% annually on the balance outstanding.

April 14, 2021
Date Issued



Dawn King
Member, Landlord and Tenant Board

Toronto South-RO
15 Grosvenor Street, 1st 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.

* Refer to section A on the attached Summary of Calculations.

**Schedule 1
SUMMARY OF CALCULATIONS**

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A. Amount the Tenant must pay:

Reasons for amount owing	Period	Amount
Arrears: (up to the termination date in the Notice of Termination)	April 15, 2020 to May 24, 2020	\$7,706.85
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	May 25, 2020 to August 24, 2020	\$17,542.56
Amount owing to the Landlords on the order date: (total of previous boxes)		\$25,249.41
Additional costs the Tenant must pay to the Landlords:		\$175.00
Total the Tenant must pay the Landlords:		\$25,424.41