



RECEIVED AUG 27 2020

Order under Section 69  
Residential Tenancies Act, 2006

File Number: TEL-07273-19

In the matter of: 412, 822 GLEN STREET  
OSHAWA ON L1J3V2

Between: Skyview Ross Apts Ltd

Landlord

I hereby certify this is a true copy of the Order  
(Name of Document)

and

  
(Signature of Staff Member)

Zephaniah Joseph

AUG 24 2020

Tenant

LANDLORD AND TENANT BOARD

Skyview Ross Apts Ltd (the 'Landlord') applied for an order to terminate the tenancy and evict Zephaniah Joseph (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on August 21, 2020. The Landlord's Legal Representative, J. Kay, attended the hearing. The Tenant attended the hearing and declined the opportunity to speak with Duty Counsel prior to the hearing.

**Preliminary Issue:**

The parties requested consent of the Board to amend the application to reflect the correct name of the Tenant.

**Determinations:**

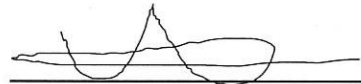
1. The only part of the application that proceeded was the claim for rent arrears. As a result, the order will be limited to rent arrears and costs only, not eviction.
2. The monthly rent increased on April 1, 2020 to \$1,345.29.
3. The Tenant has made no payments since the application was filed.
4. The Tenant vacated the rental unit on August 20, 2020. The Tenant was in possession of the rental unit on the date the application was filed.
5. The Landlord collected a rent deposit of \$1,310.64 from the Tenant and this deposit is still being held by the Landlord.
6. Interest on the rent deposit is owing to the Tenant for the period from April 1, 2019 to March 31, 2020.

7. The parties agree that the amount outstanding to August 20, 2020, inclusive of rent arrears and costs less the last month's rent deposit is \$11,637.79.
8. The Tenant sought to raise section 82 issues at the hearing, however had failed to notify the Landlord in a timely fashion and failed to notify the Board. The Tenant intends on filing his own application and if the Tenant is successful in obtaining an order from the Board against the Landlord, any abatement may be set off against the arrears in this order.

**It is ordered that:**

1. The tenancy is terminated as of August 20, 2020, the date the Tenant gave vacant possession of the rental unit to the Landlord.
2. The Tenant shall pay to the Landlord \$11,462.79\*, which represents the amount of rent owing and compensation up to August 20, 2020, less the rent deposit and interest the Landlord owes on the rent deposit.
3. The Tenant shall also pay to the Landlord \$175.00 for the cost of filing the application.
4. If the Tenant does not pay the Landlord the full amount owing\* on or before September 4, 2020, the Tenant will start to owe interest. This will be simple interest calculated from September 5, 2020 at 2.00% annually on the balance outstanding.

**August 24, 2020**  
**Date Issued**

  
\_\_\_\_\_  
**Lorraine Mathers**  
Member, Landlord and Tenant Board

Toronto East-RO  
2275 Midland Avenue, Unit 2  
Toronto ON M1P3E7

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

**Schedule 1  
SUMMARY OF CALCULATIONS**

**File Number: TEL-07273-19**

**A. Amount the Tenant must pay as the tenancy is terminated:**

<b>Reasons for amount owing</b>	<b>Period</b>	<b>Amount</b>
Arrears: (up to the termination date in the Notice of Termination)	October 1, 2019 to November 29, 2019	\$1,296.35
Plus compensation: (from the day after the termination date in the Notice to the date of the order)	November 30, 2019 to August 20, 2020	\$11,469.20
Less the rent deposit:		-\$1,310.64
Less the interest owing on the rent deposit:	March 31, 2020 to November 29, 2019	\$7.88
Amount owing to the Landlord on the order date: (total of previous boxes)		<b>\$11,462.79</b>
Additional costs the Tenant must pay to the Landlord:		\$175.00
<b>Total the Tenant must pay the Landlord as the tenancy is terminated:</b>		<b>\$11,637.79</b>