



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

Citation: Gorchynski v Jefferies, 2024 ONLTB 48095

Date: 2024-07-16

File Number: LTB-L-100113-23

In the matter of: Lower 'B', 454 MAYZEL RD
BURLINGTON ON L7R3C3

I hereby certify this is a
true copy of an Order dated
JUL 16, 2024
Landlord and Tenant Board

Between: Grant Gorchynski

Landlord

And

Sophia Alexandra Jefferies

Tenant

Grant Gorchynski (the 'Landlord') applied for an order to terminate the tenancy and evict Sophia Alexandra Jefferies (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on June 21, 2024.

The Landlord and the Tenant attended the hearing. Prior to the commencement of the hearing, the Tenant spoke with Tenant Duty Counsel.

Determinations:

1. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the N4 Notice or before the date the application was filed.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Tenant vacated the rental unit on February 3, 2024. Rent arrears are calculated up to the date the Tenant vacated the unit.
4. The lawful rent is \$1,220.00. It was due on the 15th day of each month.
5. The Tenant has paid \$500.00 to the Landlord since the application was filed.
6. The rent arrears owing to February 3, 2024 are \$2,820.33.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord collected a rent deposit of \$1,220.00 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 terminated.
9. Interest on the rent deposit, in the amount of \$33.17 is owing to the Tenant for the period from January 3, 2023 to February 3, 2024.

10. The Tenant is 19 years old and states that she received a rent subsidy which was applied to the rent and then she was to pay the residual amount monthly to the Landlord. The Tenant states that she recently returned to work part time and is also in school with her income being approximately \$500.00 per month. The Tenant submits that she may be able to pay \$100.00 to \$200.00 per month to the Landlord.
11. After considering the circumstances of both parties, I am satisfied that the Tenant should be afforded some time to pay the arrears to the Landlord. An order will issue accordingly.
12. This order contains all of the reasons within it and no further reasons will be issued.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of February 3, 2024, the date the Tenant moved out of the rental unit.
2. The Tenant shall pay to the Landlord \$1,753.16. This amount includes rent arrears owing up to the date the Tenant moved out of the rental unit and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit is deducted from the amount owing by the Tenant. See Schedule 1 for the calculation of the amount owing.
3. If the Tenant does not pay the Landlord the full amount owing on or before May 31, 2025, the Tenant will start to owe interest. This will be simple interest calculated from June 1, 2025 at 7.00% annually on the balance outstanding.

July 16, 2024
Date Issued



Heather Chapple

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.

**Schedule 1
SUMMARY OF CALCULATIONS**

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

Rent Owing To Move Out Date	\$3,320.33
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$500.00
Less the amount the Tenant paid into the LTB since the application was filed	- \$0.00
Less the amount of the last month's rent deposit	- \$1,220.00
Less the amount of the interest on the last month's rent deposit	- \$33.17
Less the amount the Landlord owes the Tenant for an {abatement/rebate}	- \$0.00
Less the amount of the credit that the Tenant is entitled to	- \$0.00
Total amount owing to the Landlord	\$1,753.16