



**OCT 31, 2024**

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

**File Number: LTB-L-056357-24**

**In the matter of:** Basement Room 2, 1305 KING ST W  
TORONTO ON M6K1G9

**Between:** Shan Mangal Landlord

**And**

Etienne Guillaume Kamambou Walker Tenant

Shan Mangal (the 'Landlord') applied for an order to terminate the tenancy and evict Etienne Guillaume Kamambou Walker (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on October 15, 2024.

Only the Landlord's agent Dora Mangal attended the hearing.

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.

**Preliminary Issue:**

1. The Board raised a preliminary issue at the beginning of the hearing regarding the validity of the N4 notice. Specifically, the Landlord was asked for submissions on whether the N4 notice is valid based on the fact that the notice indicates that the rent owing was \$800.00 on the first line, \$1600.00 on the second line, and \$2400.00 on the third line. Despite this, the lines totaled to \$2400.00.
2. The Landlord understood that their notice had an error as they attempted to correct their N4 notice after the L1 application was filed. When informed that a notice of termination cannot be amended, and that I found the notice defective, the Landlord elected to proceed with an arrears-only application.

**Determinations:**

3. As of the hearing date, the Tenant was still in possession of the rental unit.
4. The lawful rent is \$800.00. It is due on the 2nd day of each month.
5. Based on the Monthly rent, the daily rent/compensation is \$26.30. This amount is calculated as follows: \$800.00 x 12, divided by 365 days.
6. The Tenant has not made any payments since the application was filed.

7. The rent arrears owing to November 1, 2024 are \$4,300.00.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
9. There is no last month's rent deposit.

**It is ordered that:**

1. The Tenant shall also pay the Landlord \$4,486.00 for rent arrears to November 1, 2024 and the L1 application filing fee.
2. If the Tenant does not pay the Landlord the full amount owing on or before November 11, 2024, the Tenant will start to owe interest. This will be simple interest calculated from November 12, 2024 at 6.00% annually on the balance outstanding.

**October 31, 2024**  
**Date Issued**

\_\_\_\_\_  
Brett Lockwood  
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.