



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

**Citation:** Datta v Votour (Kollatos), 2025 ONLTB 68361

**Date:** 2025-09-03

**File Number:** LTB-L-049814-25

**In the matter of:** Basement, 110 BARRETT AVE  
BRANTFORD ON N3S0B3

**Between:** Vickrant Datta  
Sarika Datta

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

**SEP 03, 2025**

Landlords

**And**

Landlord and Tenant Board

Spencer Votour (Kollatos)  
Claire Koopman

Tenants

Vickrant Datta and Sarika Datta (the 'Landlords') applied for an order to terminate the tenancy and evict Spencer Votour (Kollatos) and Claire Koopman (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on August 25, 2025.

Only the Landlords and the Landlords' Legal Representative, B. Sran, attended the hearing.

As of 2:02 p.m., the Tenants were 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 Landlords' evidence.

### **Determinations:**

1. The Landlords served the Tenants with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenants 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. As of the hearing date, the Tenants were still in possession of the rental unit.
3. The lawful rent is \$1,839.87. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$60.49. This amount is calculated as follows: \$1,839.87 x 12, divided by 365 days.
5. The Tenants have paid \$1,839.87 to the Landlords since the application was filed.
6. The rent arrears owing to August 31, 2025 are \$3,679.74.

7. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlords collected a rent deposit of \$1,795.00 from the Tenants and this deposit is still being held by the Landlords. The rent deposit can only be applied to the last rental period of the tenancy if the tenancy is terminated.
9. Interest on the rent deposit, in the amount of \$80.16 is owing to the Tenants for the period from November 12, 2023 to August 25, 2025.
10. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), including whether the Landlord attempted to negotiate a repayment agreement with the Tenant and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.
11. The Tenants were not present at the hearing to share any personal circumstances for me to consider. The Tenants have made one rent payment but not enough to pay down the rent arrears considerably. The rent arrears have increased since application filing. There is no reason before me to delay or deny eviction.

**It is ordered that:**

1. The tenancy between the Landlords and the Tenants is terminated unless the Tenants void this order.
2. **The Tenants may void this order and continue the tenancy by paying to the Landlords or to the LTB in trust:**
  - \$5,705.61 if the payment is made on or before September 14, 2025. See Schedule 1 for the calculation of the amount owing.
3. The Tenants may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenants have paid the full amount owing as ordered plus any additional rent that became due after September 14, 2025 but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenants may only make this motion once during the tenancy.
4. **If the Tenants do not pay the amount required to void this order the Tenants must move out of the rental unit on or before September 14, 2025.**
5. If the Tenants do not void the order, the Tenants shall pay to the Landlords \$1,662.96. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. The rent deposit and interest the Landlords owe on the rent deposit are deducted from the amount owing by the Tenants. See Schedule 1 for the calculation of the amount owing.
6. The Tenants shall also pay the Landlords compensation of \$60.49 per day for the use of the unit starting August 26, 2025 until the date the Tenants move out of the unit.
7. If the Tenants do not pay the Landlords the full amount owing on or before September 14, 2025, the Tenants will start to owe interest. This will be simple interest calculated from September 15, 2025 at 4.00% annually on the balance outstanding.

8. If the unit is not vacated on or before September 14, 2025, then starting September 15, 2025, the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlords on or after September 15, 2025.

**September 3, 2025**  
**Date Issued**

*Sheena Brar*  
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Sheena Brar  
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on March 15, 2026 if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.

**Schedule 1**  
**SUMMARY OF CALCULATIONS**

**A. Amount the Tenants must pay to void the eviction order and continue the tenancy if the payment is made on or before September 14, 2025**

Rent Owing To September 30, 2025	\$7,359.48
Application Filing Fee	\$186.00
<b>Less</b> the amount the Tenants paid to the Landlords since the application was filed	- \$1,839.87
<b>Total the Tenants must pay to continue the tenancy</b>	<b>\$5,705.61</b>

**B. Amount the Tenants must pay if the tenancy is terminated**

Rent Owing To Hearing Date	\$5,191.99
Application Filing Fee	\$186.00
<b>Less</b> the amount the Tenants paid to the Landlords since the application was filed	- \$1,839.87
<b>Less</b> the amount of the last month's rent deposit	- \$1,795.00
<b>Less</b> the amount of the interest on the last month's rent deposit	- \$80.16
<b>Total amount owing to the Landlords</b>	<b>\$1,662.96</b>
Plus daily compensation owing for each day of occupation starting August 26, 2025	\$60.49 (per day)