



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-084883-25

In the matter of: 17, 197 CUMBERLAND ST
OTTAWA ON K1N7H4

Between: Georges Hamoush
1000829625 ONTARIO INC

Landlords

And

Payton-Lynn Stewart Jordan
David James Jordan

Tenants

Georges Hamoush and 1000829625 ONTARIO INC (the 'Landlords') applied for an order to terminate the tenancy and evict Payton-Lynn Stewart Jordan and David James Jordan (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on December 18, 2025.

The Landlord, Georges Hamoush ("GH"), and the Tenant, ("Payton-Lynn Stewart Jordan") attended the hearing.

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. The Tenants was in possession of the rental unit on the date the application was filed.
3. The parties agreed that the Tenants vacated the rental unit on November 7, 2025.
4. The Landlords were claiming arrears to the end of December and alleging that the Tenant failed to provide proper notice to terminate under the Act.
5. The ability of a landlord to claim arrears because they were not provided with adequate notice of termination is provided for under section 88(1) of the *Residential Tenancies Act*, 2006 (the 'Act'). However, section 88(1) only applies where the landlord has not given notice to terminate the tenancy.
6. The LTB's Interpretation Guideline 11: Rent Arrears provides where a tenant moves out of the rental unit after the L1 Application was filed, but before the hearing date, the LTB normally determines the tenancy ended on the date the tenant moved out and requires the tenant to pay rent arrears ending on the date the tenancy ended.
7. Further, section 134(1.1) of the Act provides:

134 (1.1) No landlord shall, directly or indirectly, with respect to any rental unit, collect or require or attempt to collect or require from a former tenant of the rental unit any amount of money purporting to be rent in respect of, (a) any period after the tenancy has terminated and the tenant has vacated the rental unit; or (b) any period after the tenant's interest in the tenancy has terminated and the tenant has vacated the rental unit.

8. In the above circumstances, where the tenant vacated the rental unit after the delivery of an N4 notice and a before the hearing for the L1 Application based on that N4 Notice, I find the tenancy terminated on November 7, 2025. and do not find section 88(1) of the Act is applicable. Rent arrears are calculated up to the date the Tenants vacated the unit
9. The lawful rent is \$1,549.00. It was due on the 1st day of each month.
10. The Tenants has not made any payments since the application was filed.
11. The rent arrears owing to November 7, 2025, are \$3,454.51.
12. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
13. The Landlords collected a rent deposit of \$1,549.00 from the Tenants and this deposit is still being held by the Landlords. The rent deposit is applied to the arrears of rent because the tenancy terminated.
14. Interest on the rent deposit, in the amount of \$16.98 is owing to the Tenants for the period from June 1, 2025, to November 7, 2025.

It is ordered that:

1. The tenancy between the Landlords and the Tenants is terminated as of November 7, 2025, the date the Tenants moved out of the rental unit.
2. The Tenants shall pay to the Landlords \$2,074.53. This amount includes rent arrears owing up to the date the Tenants moved out of the rental unit and the cost of filing the application. The rent deposit and interest the Landlords owes on the rent deposit is deducted from the amount owing by the Tenants. See Schedule 1 for the calculation of the amount owing.
3. If the Tenants does not pay the Landlords the full amount owing on or before January 17, 2026, the Tenants will start to owe interest. This will be simple interest calculated from January 18, 2026, at 4.00% annually on the balance outstanding.

January 6, 2026
Date Issued

Nicole Pedron
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.

Schedule 1
SUMMARY OF CALCULATIONS

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

Rent Owing To Move Out Date	\$3,454.51
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,549.00
Less the amount of the interest on the last month's rent deposit	- \$16.98
Total amount owing to the Landlords	\$2,074.53