



Amended
Order under Section 69
Residential Tenancies Act, 2006
and section 21.1 of the Statutory Powers Procedure Act

File Number: LTB-L-041871-24-AM

In the matter of: 3839 Turner Rd.
Windsor, ON N8W3N4

Between: Gopal Kataria Landlord

And

Devon Soucie aka Christopher Soucie Tenants
~~Christopher Soucie~~
Katelyn Pendreigh aka Kate Pendreigh
~~Kate Pendreigh~~

This amended order is issued to correct clerical errors made by the Landlord in their application which were reflected in the order issued on October 7, 2024, and to correct a clerical error identified by the Board pertaining to the parties that attended the hearing. The amendments are underlined for ease of reference.

Gopal Kataria (the 'Landlord') applied for an order to terminate the tenancy and evict Devon Soucie, Christopher Soucie, Katelyn Pendreigh and Kate Pendreigh (the 'Tenants') because the Tenants did not pay the rent owed.

This application was heard by videoconference on September 18, 2024.

Only the Landlord, Gopal Kataria, **and the Landlord's representative, Anthony Debly, and the Tenants, Katelyn Pendreigh and Kate Pendreigh** attended the hearing.

Determinations:

1. The Landlord 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 were in possession of the rental unit on the date the application was filed.
3. The Tenants vacated the rental unit on July 31, 2024. Rent arrears are calculated up to the date the Tenants vacated the unit.

4. The lawful rent is \$1,900.00. It was due on the 1st day of each month.
5. The Tenants have not made any payments since the application was filed.
6. The rent arrears owing to July 31, 2024, are \$26,600.00.
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 \$1,900.00 from the Tenants 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 \$63.38 is owing to the Tenants for the period from April 1, 2023, to July 31, 2024.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated as of July 31, 2024, the date the Tenants moved out of the rental unit.
2. The Tenants shall pay to the Landlord \$24,822.62. 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 Landlord 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 do not pay the Landlord the full amount owing on or before October 18, 2024, the Tenants will start to owe interest. This will be simple interest calculated from October 19, 2024, at 6.00% annually on the balance outstanding.

October 7, 2024
Date Issued

Ken Audziss
Member, Landlord and Tenant Board

January 9, 2026
Date Amended

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 Tenants must pay as the tenancy is terminated.

Rent Owing to Move Out Date, July 31, 2024	\$26,600.00
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenants paid to the Landlord since the application was filed	- \$0.00
Less the amount the Tenants paid into the LTB since the application was filed	- \$0.00
Less the amount of the last month's rent deposit	- \$1,900.00
Less the amount of the interest on the last month's rent deposit	- \$63.38
Less the amount the Landlord owes the Tenants for an {abatement/rebate}	- \$0.00
Less the amount of the credit that the Tenants is entitled to	- \$0.00
Total amount owing to the Landlord	\$24,822.62