



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

Citation: Gross v Hind, 2023 ONLTB 82161

Date: 2023-12-28

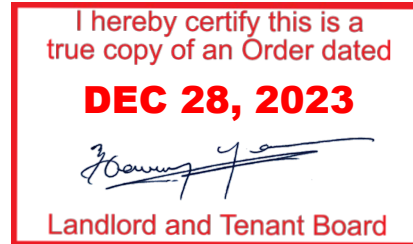
File Number: LTB-L-062358-22

In the matter of: 4, 69 SEMENYN AVE
CHATHAM ON N7L3R7

Between: Yael Gross
Assa Gross

And

Samantha Hind
Austin Hutton



Landlords

Tenants

Yael Gross and Assa Gross (the 'Landlords') applied for an order to terminate the tenancy and evict Samantha Hind and Austin Hutton (the 'Tenants') because:

- The Tenants did not pay the rent that the Tenants owe.
- The Tenants has been persistently late in paying the Tenant's rent.

The Landlords also claimed compensation for each day the Tenants remained in the unit after the termination date.

This application was heard by videoconference on December 14, 2023.

Only the one of the Landlords, Yael Gross, and the Landlord's Legal Representative, Eric Steiman, attended the hearing.

As of 11:30AM, 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 Landlord's evidence.

Determinations:

1. The L2 Application is withdrawn.
2. The Tenants vacated the rental unit on March 31, 2023.
3. Prior to vacating, the Tenants gave the N11 with a termination date of March 31, 2023. The property manager found that the Tenants had vacated the property by that date.
4. The Tenants were in possession of the rental unit on the date the application was filed.
5. The lawful rent is \$1,452.22. It was due on the 1st day of each month.
6. The Tenants has paid \$1,820.00 to the Landlords since the application was filed.

7. The rent arrears owing to March 31, 2023 are \$8,285.24.
8. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The tenancy between the Landlords and the Tenants terminated on March 31, 2023. This is the date that the Tenants vacated the rental unit.
2. The Tenants shall pay to the Landlords \$8,285.24, which represents the arrears to the date of vacating the rental unit.
3. The Tenants shall also pay to the Landlords \$186.00 for the cost of filing the application.
4. The total amount the Tenants owe the Landlords is \$8,471.24.
5. If the Tenants do not pay the Landlords the full amount owing on or before January 8, 2024, the Tenants will start to owe interest. This will be simple interest calculated from January 9, 2024 at 7.00% annually on the balance outstanding.

December 28, 2023
Date Issued



 Henry Yeung
 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 | \$10,105.24 |
| Application Filing Fee | \$186.00 |
| Less the amount the Tenants paid to the Landlords since the application was filed | - \$1,820.00 |
| Total amount owing to the Landlords | \$8,471.24 |