



**Order under Subsection 87(1)
Residential Tenancies Act, 2006**

Citation: Martin v Wells, 2022 ONLTB 1987

Date: 2022-07-27

File Number: LTB-L-009056-22

In the matter of: 365 East Street N
Sarnia Ontario N7T 6Y2

Between: Justin Martin

And

Cheri Marchand (Langlois), Tyson Wells

I hereby certify this is a
true copy of an Order dated
JULY 27, 2022
Landlord and Tenant Board

Landlord

Tenant

Justin Martin (the 'Landlord') applied for an order requiring Cheri Marchand (Langlois) and Tyson Wells (the 'Tenants') to pay the rent that the Tenants owe.

This application was heard by videoconference on June 16, 2022.

Only the Landlord's representative, Irene Martin, attended the hearing.

As of 10:06 a.m. 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.

Determinations:

1. The Tenants vacated the rental unit on November 30, 2021. The Tenants were in possession of the rental unit on the date the application was filed.
2. The Tenant did not pay the total rent they were required to pay for the period from October 1, 2021 to November 30, 2021.
3. The lawful rent is \$1,250.00. It is due on the 1st day of each month.
4. The Tenant has not made any payments since the application was filed.
5. The tenancy ended on November 30, 2021 as a result of the Tenant moving out in accordance with a notice of termination. Therefore, the Tenant's obligation to pay rent also ended on that date.
6. The rent arrears and daily compensation owing to November 30, 2021 are \$2,500.00.
7. The Landlord collected a rent deposit of \$1,250 from the Tenant on April 22, 2021 and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy is terminated.
8. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The Tenant shall pay to the Landlord \$1,451.00. This amount includes rent arrears and daily compensation owing up to November 30, 2021 and the cost of the application minus the rent deposit and interest owing.
2. If the Tenant does not pay the Landlord the full amount owing on or before August 7, 2022, the Tenant will start to owe interest. This will be simple interest calculated from August 8, 2022 at 3.00% annually on the balance outstanding.

July 27, 2022
Date Issued



Anita Lovrich
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.