



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

**Citation:** Aces Inc. v Hunt, 2023 ONLTB 57510

**Date:** 2023-10-26

**File Number:** LTB-L-043168-22-AM

**In the matter of:** UPPER, 47 MAPLETON AVENUE  
BARRIE ON L4N 7N7

**Between:** Aces Inc.

**And**

Frederick Daniel James Hunt  
Marilyn- Anne Campbell  
Ashton Cora Leigh Warner-Campbell

I hereby certify this is a  
true copy of an Order dated  
**OCT 26, 2023**  
Landlord and Tenant Board

Landlord

Tenants

**This amended order is issued to correct a clerical error in the original order issued on August 24, 2023.**

Aces Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Frederick Daniel James Hunt, Marilyn- Anne Campbell and Ashton Cora Leigh Warner-Campbell (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe (L1 Application).

The Landlord applied for an order to terminate the tenancy and evict the Tenants because the Tenant or another occupant of the rental unit has committed an illegal act or has carried out, or permitted someone to carry out an illegal trade, business or occupation in the rental unit or the residential complex (L2 Application).

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on July 27, 2023.

Only the Landlord's representative Lyndsay Dubois, licensed paralegal attended the hearing.

As of 10:31 a.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 Landlord's evidence.

**Determinations:**

L2 Application

1. At the hearing, the Landlord's representative sought to withdraw the L2 Application.

2. As the matter being uncontested, the Board consented to the request.

### L1 Application

1. The Tenants vacated the rental unit on September 4, 2022. The Tenant was in possession of the rental unit on the date the application was filed.
2. The Landlord amended their application to an L9 application solely for arrears of rent and the filing fee. The Landlord was seeking the arrears outstanding to September 4, 2022.
3. The Tenants did not pay the total rent they were required to pay for the period from February 1, 2022 to September 4, 2022.
4. The lawful rent is \$2,550.00. It is due on the 1<sup>st</sup> day of each month.
5. The Tenants have not made any payments since the application was filed.
6. The tenancy ended on September 4, 2022 as a result of the Tenants moving out in accordance with a notice of termination, LTB order or agreement to terminate the tenancy. Therefore, the Tenant's obligation to pay rent also ended on that date.
7. The rent arrears and daily compensation owing to September 4, 2022 are **\$6,535.34**.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
9. The Landlord collected a rent deposit of \$2,550.00 from the Tenants and this deposit is still being held by the Landlord. The rent deposit can only be applied to the last rental period of the tenancy if the tenancy is terminated.

### **It is ordered that:**

### L2 Application

1. The Landlord's L2 Application having been withdrawn, the Board's file on the L2 Application is closed.

### L9 Application

1. The Tenants shall pay to the Landlord **\$4,086.34**. This amount includes rent arrears owing up to September 4, 2022 and the cost of the application, less the rent deposit and the interest owing on the rent deposit.
2. If the Tenants do not pay the Landlord the full amount owing on or before September 4, 2023, the Tenants will start to owe interest. This will be simple interest calculated from September 5, 2023 at 6.00% annually on the balance outstanding.

**August 24, 2023**

**Date Issued**

**October 26, 2023**  
**Date Amended**

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**Greg Witt**  
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.