



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

Citation: 294 Conacher Inc v Migneault, 2024 ONLTB 9888

Date: 2024-02-09

File Number: LTB-L-054480-23

In the matter of: 203, 294 CONACHER DR
KINGSTON ON K7K2X2

Between: 294 Conacher Inc

And

Matthew Migneault

I hereby certify this is a
true copy of an Order dated
FEB 09, 2024
Landlord and Tenant Board

Landlord

Tenant

294 Conacher Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Matthew Migneault (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on December 5, 2023.

The Landlord's legal representative, Jennifer Fiegehen, and the Tenant attended the hearing.

Agreed Upon Facts:


1. The lawful rent is \$1,710.00. It is due on the 1st day of each month. Based on the Monthly rent, the daily rent/compensation is \$56.22. This amount is calculated as follows: \$1,710.00 x 12, divided by 365 days.
2. The rent arrears owing to December 31, 2023 are \$11,970.00.
3. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
4. The Landlord collected a rent deposit of \$1,600.00 from the Tenant 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.
5. Interest on the rent deposit, in the amount of \$27.51 is owing to the Tenant for the period from April 1, 2023 to December 7, 2023.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenant is terminated as of January 15, 2024.
2. The Tenant agrees to pay \$11,970.00 for arrears to December 31, 2023 and costs.
3. The Tenant shall also pay the Landlord compensation of \$56.22 per day for the use of the unit starting January 16, 2024 until the date the Tenant moves out of the unit.

4. If the unit is not vacated on or before January 16, 2024, then starting January 17, 2024, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
5. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord on or after January 17, 2024.

February 9, 2024
Date Issued


Dawn Carr
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on August 21, 2024 if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.

Schedule 1
SUMMARY OF CALCULATIONS

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

Rent Owing To December 31, 2024	\$11,970.00
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$0.00
Less the amount the Landlord owes the Tenant for an{abatement/rebate}	- \$0.00
Less the amount of the last month's rent deposit	-\$1,600.00
Less the amount of the interest on the last month's rent deposit	-\$27.51
Less the amount of the credit that the Tenant is entitled to	- \$0.00
Total amount owing to the Landlord	\$10,528.49
Plus daily compensation owing for each day of occupation starting January 1, 2024	\$56.22 (per day)