



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

Citation: seven84 v Nicole Massey, 2023 ONLTB 46181

Date: 2023-06-27

File Number: LTB-L-069633-22

In the matter of: 403, 784 ST. LAURENT BLVD OTTAWA
ON K1K3A8

Between: seven84 Landlord

And

Nicole Massey Tenant

seven84 (the 'Landlord') applied for an order requiring Nicole Massey (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on May 24, 2023.

Only the Landlord's representative Grace George, licensed paralegal and the Landlord's agent Paul Hill attended the hearing.

As of 1:55 p.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 Tenant vacated the rental unit on December 31, 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 December 31, 2022.
3. The Tenant did not pay the total rent they were required to pay for the period from January 1, 2022 to December 31, 2022.
4. The lawful rent is \$1,770.00. It is due on the 1st day of each month.
5. The Tenant has made \$975.00 in payments since the application was filed.

6. The tenancy ended on December 31, 2022 as a result of the Tenant 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 December 31, 2022 are \$3,385.00.

Order Page: 1 of 2



Tribunals Ontario
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Commission de la location immobilière

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 \$1,770.00 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.

It is ordered that:

1. The Tenant shall pay to the Landlord \$1,736.10. This amount includes rent arrears owing up to December 31, 2022 and the cost of the application, less the rent deposit and interest on the deposit.
2. If the Tenant does not pay the Landlord the full amount owing on or before July 8, 2023, the Tenant will start to owe interest. This will be simple interest calculated from July 9, 2023 at 6.00% annually on the balance outstanding.

June 27, 2023
Date Issued

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.

