



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

Citation: The Student Residence Income Fund LP c/o DMS Property Management Ltd. v Tyhe

Robert Roganovic, 2023 ONLTB 45829

Date: 2023-06-26

File Number: LTB-L-066182-22

In the matter of: 2E, 600 FIRST AVE
WELLAND ON L3C 1Z3

Between: The Student Residence Income Fund LP c/o Landlord
DMS Property Management Ltd.

And

Tyhe Robert Roganovic

Tenant

The Student Residence Income Fund LP c/o DMS Property Management Ltd. (the 'Landlord') applied for an order requiring Tyhe Robert Roganovic (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on May 8, 2023.

Only the Landlord's representative Joshua Labbe, licensed paralegal attended the hearing.

As of 3:23 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 January 1, 2023. 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 January 1, 2023.
3. The Tenant did not pay the total rent they were required to pay for the period from November 1, 2022 to January 1, 2023.
4. The lawful rent is \$708.40. It is due on the 1st day of each month.
5. The Tenant has made \$8.40 in payments since the application was filed.

6. The tenancy ended on January 1, 2023 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 total rent arrears the Landlord is seeking up to January 1, 2023 are \$700.00.

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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. There is no rent being held on deposit.

It is ordered that:

1. The Tenant shall pay to the Landlord \$886.00. This amount includes rent arrears owing up to January 1, 2023 and the cost of the application.
2. If the Tenant does not pay the Landlord the full amount owing on or before July 7, 2023, the Tenant will start to owe interest. This will be simple interest calculated from July 8, 2023 at 6.00% annually on the balance outstanding.

June 26, 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.

