



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

**Citation:** CAPREIT LIMITED PARTNERSHIP v Courtney Balkwill, 2023 ONLTB 45723

**Date:** 2023-06-26

**File Number:** LTB-L-079131-22

**In the matter of:** 083, 4114 ASH CRES SEVERN  
ON L3V0V1

**Between:** CAPREIT LIMITED PARTNERSHIP Landlord

**And**

Courtney Balkwill and Jeff Fielding Tenants

CAPREIT LIMITED PARTNERSHIP (the 'Landlord') applied for an order to terminate the tenancy and evict Courtney Balkwill and Jeff Fielding (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

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

Only the Landlord's Legal Representative, Crystal Hosannah, attended the hearing.

As of 1:20 p.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:**

1. The Landlord's Legal Representative advised that the Tenants paid the Landlord prior to the hearing date all rent that was in arrears, any additional rent that would have been due under the tenancy agreement up to May 31, 2023, and the filing fee for this application,
2. The Landlord's application relating to eviction of the Tenants based on arrears of rent is discontinued.
3. As payment in full was made, there is no reasonable cause of action to proceed on the Landlord's application for compensation and for arrears, and it is therefore dismissed.

**June 26, 2023**  
**Date Issued**

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Diane Wade

Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor Toronto  
ON M7A 2G6

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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.