



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

**Citation:** Suzette Grant v Marris Castonguay, 2023 ONLTB 43795

**Date:** 2023-06-19

**File Number:** LTB-L-001482-23

**In the matter of:** 102, 11 REBECCA ST  
HAMILTON ON L8R3H7

**Between:** Suzette Grant Landlord

**And**

Marris Castonguay Tenants  
Scott Collins

Suzette Grant (the 'Landlord') applied for an order to terminate the tenancy and evict Marris Castonguay and Scott Collins (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on June 6, 2023.

Only the Landlord Suzette Grant attended the hearing.

As of 2:26 p.m., the Tenant 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. Since the Tenants did not attend and the Landlord was prepared to proceed, the matter proceeded by way of an uncontested hearing pursuant to section 7 of the *Statutory Powers Procedure Act*, R.S.O. 1990.

**Determinations:**

1. At the hearing the Landlord relied on oral submissions and referred to documents to support their application.
2. The Landlord served the Tenants with a valid Notice to End Tenancy Early for Nonpayment of Rent (N4 Notice). The Tenants did not void the notice by paying the amount of rent arrears owing by the termination date in the N4 Notice or before the date the application was filed.
3. The Tenants were in possession of the rental unit on the date the application was filed.
4. The Tenants vacated the rental unit on February 15, 2023. Rent arrears are calculated up to the date the Tenants vacated the unit.

5. The lawful rent was \$1,950.00. It was due on the 1st day of each month.
6. The Tenants have not made any payments since the application was filed.
7. The rent arrears owing to February 15, 2023 are \$4,861.65.

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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 \$1,950.00 from the Tenants and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy terminated.

**It is ordered that:**

1. The tenancy between the Landlord and the Tenants is terminated as of February 15, 2023, the date the Tenant moved out of the rental unit
2. The Tenants shall pay to the Landlord \$3,097.65. This amount includes rent arrears owing up to the date the Tenants moved out of the rental unit and the cost of filing the application. The rent deposit is deducted from the amount owing by the Tenants. See Schedule 1 for the calculation of the amount owing.
3. If the Tenants do not pay the Landlord the full amount owing on or before June 30, 2023, the Tenants will start to owe interest. This will be simple interest calculated from July 1, 2023 at 6.00% annually on the balance outstanding.

**June 19, 2023**  
**Date Issued**

John Cashmore  
Member, Landlord and Tenant Board

15 Grosvenor St, 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.

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**Schedule 1**  
**SUMMARY OF CALCULATIONS**

**A. Amount the Tenants must pay as the tenancy is terminated**

Rent Owing To Move Out Date	\$4,861.65
Application Filing Fee	\$186.00
<b>Less</b> the amount of the last month's rent deposit	- \$1,950.00
<b>Total amount owing to the Landlord</b>	<b>\$3,097.65</b>