



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

Citation: Pratik Pratik v Danielle Wilkie, 2023 ONLTB 43807

Date: 2023-06-15

File Number: LTB-L-002987-23

In the matter of: 715 STANLEY ST
WINDSOR ON N8X3B4

Between: Deepkamal Singh Landlords
Diptma Lamba
Pratik Pratik

And

Danielle Wilkie Tenant

Deepkamal Singh, Diptma Lamba and Pratik Pratik (the 'Landlords') applied for an order to terminate the tenancy and evict Danielle Wilkie (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

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

Only the Landlords' Legal Representative John Kulikowski attended the hearing.

As of 2:04 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. Since the Tenant did not attend and the Landlords were 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 Landlords' Legal Representative relied on oral submissions and referred to documents to support their application.
2. The Landlords served the Tenant with a valid Notice to End Tenancy Early for Nonpayment of Rent (N4 Notice). The Tenant 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 Tenant was in possession of the rental unit on the date the application was filed.

4. The Tenant vacated the rental unit on May 31, 2023. Rent arrears are calculated up to the date the Tenant vacated the unit.
5. The lawful rent was \$2,400.00. It was due on the 1st day of each month.
6. The Tenant has paid \$2,556.00 to the Landlords since the application was filed.

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7. The rent arrears owing to May 31, 2023 are \$13,044.00.
8. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
9. There is no last month's rent deposit.

It is ordered that:

1. The tenancy between the Landlords and the Tenant is terminated as of May 31, 2023, the date the Tenant moved out of the rental unit
2. The Tenant shall pay to the Landlords \$13,230.00. This amount includes rent arrears owing up to the date the Tenant moved out of the rental unit and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.
3. If the Tenant does not pay the Landlords the full amount owing on or before June 26, 2023, the Tenant will start to owe interest. This will be simple interest calculated from June 27, 2023 at 6.00% annually on the balance outstanding.

June 15, 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.

**Schedule 1
SUMMARY OF CALCULATIONS**

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

Rent Owing To Move Out Date	\$15,600.00
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlords since the application was filed	- \$2,556.00
Less the amount the Tenant paid into the LTB since the application was filed	- \$0.00
Less the amount of the last month's rent deposit	- \$0.00
Less the amount of the interest on the last month's rent deposit	- \$0.00
Less the amount the Landlord owes the Tenant for an {abatement/rebate}	- \$0.00
Less the amount of the credit that the Tenant is entitled to	- \$0.00
Total amount owing to the Landlords	\$13,230.00