



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

**Citation:** SKYLINE LIVING v TESLOTH SIMON, 2023 ONLTB 41836

**Date:** 2023-06-07

**File Number:** LTB-L-011816-23

**In the matter of:** 209, 3461 PETER ST  
WINDSOR ON N9C3Z6

**Between:** SKYLINE LIVING and TIANA JOHNSON Landlord

**And**

TESLOTH SIMON Tenant

SKYLINE LIVING and TIANA JOHNSON (the 'Landlord') applied for an order requiring TESLOTH SIMON (the 'Tenant') to pay the rent that the Tenant owes.

The Landlord also claimed charges related to NSF cheques.

This application was heard by videoconference on April 11, 2023.

Only the Landlord's Representative M. Ceglie attended the hearing.

As of 9:53 a.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 did not pay the total rent they were required to pay for the period from November 1, 2022 to December 31, 2022.
2. The lawful rent is \$1,339.34. It is due on the 1st day of each month.
3. The Tenant has not made any payments since the application was filed.
4. 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.
5. The rent arrears and daily compensation owing to December 31, 2022 are \$2,678.68

6. The Landlord collected a rent deposit of \$1,336.72 from the Tenant and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy is terminated.

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**Tribunals Ontario**  
Landlord and Tenant Board

**Tribunaux décisionnels Ontario**  
Commission de la location immobilière

7. The Landlord is entitled to \$20.00 to reimburse the Landlord for administration charges and \$0.00 for bank fees the Landlord incurred as a result of 1 cheque given by or on behalf of the Tenant which were returned NSF.
8. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.

**It is ordered that:**

1. The Tenant shall pay to the Landlord \$1,562.96. This amount includes rent arrears owing up to December 31, 2022 and the cost of the application and unpaid NSF charges minus the rent deposit.
2. If the Tenant does not pay the Landlord the full amount owing on or before June 18, 2023, the Tenant will start to owe interest. This will be simple interest calculated from June 19, 2023 at 6.00% annually on the balance outstanding.

**June 7, 2023**

**Date Issued**

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**William Greenberg**  
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.

