



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

Citation: BRAMPTON HOLDINGS INC. v Derick Sharma, 2023 ONLTB 42113

Date: 2023-06-06

File Number: LTB-L-054424-22

In the matter of: ROOM 3, 23 DEERPARK CRES
BRAMPTON ON L6X2T6

Between: BRAMPTON HOLDINGS INC. Landlord

And

Derick Sharma Tenant

BRAMPTON HOLDINGS INC. (the 'Landlord') applied for an order requiring Derick Sharma (the 'Tenant') to pay the rent that the Tenant owes.

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

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

As of 1:53 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.

Preliminary issue:

1. It was established that an invalid N4 was served on the Tenant for the L1 application.
2. The Landlord's Representative requested that the L1 application be converted to an L9 application for arrears only.
3. The request of the Landlord's Representative was granted.

Determinations:

1. The Tenant did not pay the total rent they were required to pay for the period from July 1, 2022 to January 31, 2023.
2. The lawful rent is \$650.00. 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 January 31, 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.
5. The rent arrears and daily compensation owing to January 31, 2023 are \$4,300.00



6. The Landlord collected a rent deposit of \$650 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.
7. Interest on the rent deposit, in the amount of \$12 is owing to the Tenant for the period from November 1, 2022 to January 31, 2023.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The Tenant shall pay to the Landlord \$3,824.10. This amount includes rent arrears owing up to January 31, 2023 and the cost of the application minus the rent deposit and interest owing.
2. If the Tenant does not pay the Landlord the full amount owing on or before June 17, 2023, the Tenant will start to owe interest. This will be simple interest calculated from June 18, 2023 at 6.00% annually on the balance outstanding.

June 6, 2023
Date Issued

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.

