



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

Citation: SKYLINE LIVING v TYSON KORCZYNSKI, 2023 ONLTB 41828

Date: 2023-06-06

File Number: LTB-L-012023-23

In the matter of: 101, 108 HINCKS STREET
NEW HAMBURG ON N3A2A4

Between: SKYLINE LIVING Landlord

And

TYSON KORCZYNSKI and VICTORIA MILLER Tenants

SKYLINE LIVING (the 'Landlord') applied for an order requiring TYSON KORCZYNSKI and VICTORIA MILLER (the 'Tenants') to pay the rent that the Tenants owe.

The Landlord also claimed charges related to NSF cheques.

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

Only the Landlord's Representative A. Price attended the hearing.

As of 9:48 a.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 Tenants did not pay the total rent they were required to pay for the period from October 1, 2022 to December 31, 2022.
2. The lawful rent is \$1,366.32. It is due on the 1st day of each month.
3. The Tenants have made payments of \$40.82 since the application was filed.
4. The tenancy ended on December 31, 2022 as a result of the Tenants moving out in accordance with a notice of termination, LTB order or agreement to terminate the tenancy. Therefore, the Tenants' obligation to pay rent also ended on that date.
5. The rent arrears and daily compensation owing to December 31, 2022 are \$2,849.82.

6. Landlord collected a rent deposit of \$1,336.73 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 is terminated.

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7. The Landlord is entitled to \$40.00 to reimburse the Landlord for administration charges the Landlord incurred as a result of 2 cheques given by or on behalf of the Tenants 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 Tenants shall pay to the Landlord \$1,754.09. 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 Tenants do not pay the Landlord the full amount owing on or before June 17, 2023, the Tenants 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.