



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

Citation: Elm Place Inc. v Venney, 2023 ONLTB 42069

Date: 2023-06-05

File Number: LTB-L-055122-22

In the matter of: 1416, 1460 GHENT AVE
BURLINGTON ON L7S1X7

Between: Elm Place Inc. Landlord

And

Robert Venney Tenant

Elm Place Inc. (the 'Landlord') applied for an order requiring Robert Venney (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. Ciobotaru attended the hearing.

As of 1:34 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. The Landlord's Representative requested that the L1 application be amended to an application for arrears only. This request was granted.

Determinations:

1. As of the hearing date, the Tenant was still in possession of the rental unit.
2. The Tenant did not pay the total rent they were required to pay for the period from July 1, 2022 to April 30, 2023.
3. The lawful rent is \$1,686.35. It is due on the 1st day of each month.
4. The Tenant has paid \$12,507.86 to the Landlord after the application was filed.
5. The rent arrears owing to April 30, 2023 are \$(171.00)
6. 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 \$15.00. The tenant owes the Landlord rent arrears owing up to April 30, 2023 and the cost of the application. The amount of rent deposit and interest the Landlord owes on the rent deposit exceeds the amount owing by the Tenant.
2. If the Tenant does not pay the Landlord the full amount owing on or before June 16, 2023, the Landlord will start to owe interest. This will be simple interest calculated from June 17, 2023 at 6.00% annually on the balance outstanding.

June 5, 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.