



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

Citation: Brain Soulliere v Virginia (Jenny) Power, 2023 ONLTB 39001

Date: 2023-05-26

File Number: LTB-L-078179-22

In the matter of: Basement, 2425 PRESTON RD CAVAN
ON L0A1C0

Between: Beverly Soulliere and Brain Soulliere Landlords

And

Charles Power, Lori Power and Virginia Tenants
(Jenny) Power

Beverly Soulliere and Brain Soulliere (the 'Landlords') applied for an order to terminate the tenancy and evict Charles Power, Lori Power and Virginia (Jenny) Power (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on May 10, 2023.

Only the Landlord Beverly Soulliere and the Landlord's Representative Crystal attended the hearing.

As of 2:10 p.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 Landlords served the Tenants 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.
2. The Tenants were in possession of the rental unit on the date the application was filed.
3. The Tenants vacated the rental unit on December 23, 2022. Rent arrears are calculated up to the date the Tenants vacated the unit.
4. The lawful rent is \$1,200.00. It was due on the 1st day of each month.
5. The Tenants have not made any payments since the application was filed.

6. The rent arrears owing to December 23, 2022 are \$3,307.35.
7. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. There is no last month's rent deposit.

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It is ordered that:

1. The tenancy between the Landlords and the Tenants is terminated as of December 23, 2022, the date the Tenants moved out of the rental unit
2. The Tenants shall pay to the Landlords \$3,493.35. This amount includes rent arrears owing up to the date the Tenants 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 Tenants do not pay the Landlords the full amount owing on or before June 6, 2023, the Tenants will start to owe interest. This will be simple interest calculated from June 7, 2023 at 6.00% annually on the balance outstanding.

May 26, 2023

Date Issued

Alicia Johnson

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.

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**Schedule 1
SUMMARY OF CALCULATIONS**

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

Rent Owing To Move Out Date	\$3,307.35
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$0.00
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 Landlord	\$3,493.35

