



Order under Section 69 Residential Tenancies Act, 2006

Citation: Ottawa Community Housing Corp. v Alice Stuart, 2023 ONLTB 38962

Date: 2023-05-26

File Number: LTB-L-064750-22

In the matter of: 303, 2651 REGINA ST OTTAWA
ON K2B8B5

Between: Ottawa Community Housing Corp. Landlord

And

Alice Stuart and Thomas Stuart Tenants

Ottawa Community Housing Corp. (the 'Landlord') applied for an order to terminate the tenancy and evict Alice Stuart and Thomas Stuart (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on May 9, 2023.

Only the Landlord's Representative Amanda Scobie attended the hearing.

As of 10:21a.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 Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment 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. As of the hearing date, the Tenant was still in possession of the rental unit.
3. Since the application was filed the Tenants' rent was retroactively decreased to \$229.00, and the Tenants have paid all outstanding arrears to May 30, 2023.
4. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

5. As the only amount outstanding is the Landlord's filing fee I find that it would not be unfair to grant relief from eviction pursuant to subsection 83(1)(a) of the *Residential Tenancies Act, 2006*.

Order Page: 1 of 2

File Number: LTB-L-064750-22

2023 ONL TB 38962 (CanLII)

It is ordered that:

1. The Tenants shall pay to the Landlord \$186.00 for the Landlord's filing fee.
2. If the Tenants do not pay the Landlord 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

Amanda Kovats

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.

Order Page: 2 of 2