



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

**Citation:** Coal Harbour Properties Limited Partnership v Adrian Wilson, 2023 ONLTB 39097

**Date:** 2023-05-25

**File Number:** LTB-L-057578-22

**In the matter of:** 0715, 390 QUEENS QUAY W  
TORONTO ON M5V 3A6

**Between:** Coal Harbour Properties Limited Partnership Landlord

**And**

Adrian Wilson Tenant

Coal Harbour Properties Limited Partnership (the 'Landlord') applied for an order requiring Adrian Wilson (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on April 25, 2023.

Only the Landlord's representative Leo Corsetti, licensed paralegal attended the hearing.

As of 1:41 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.

### **Determinations:**

1. The Tenant vacated the rental unit on October 31, 2022. The Tenant was in possession of the rental unit on the date the application was filed.
2. The Landlord amended their application to an L9 application solely for arrears of rent and the filing fee. The Landlord was seeking the arrears outstanding to October 31, 2022.
3. The Tenant did not pay the total rent they were required to pay for the period from September 1, 2022 to October 31, 2022.
4. The lawful rent is \$2,146.64. It is due on the 1<sup>st</sup> day of each month.
5. The Tenant has made \$1,000.00 in payments since the application was filed.
6. The tenancy ended on October 31, 2022 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.

7. The rent arrears and daily compensation owing to October 31, 2022 are \$3,293.28.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

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9. The Landlord collected a rent deposit of \$2,015.54 from the Tenant and this deposit is still being held by the Landlord. Interest on the rent deposit, in the amount of \$18.15 is owing to the Tenant for the period from October 4, 2022.

**It is ordered that:**

1. The Tenant shall pay to the Landlord \$1,445.59. This amount includes rent arrears owing up to and the cost of the application, less the rent deposit and interest.
2. If the Tenant does not pay the Landlord the full amount owing on or before June 5, 2023, the Tenant will start to owe interest. This will be simple interest calculated from June 6, 2023 at 6.00% annually on the balance outstanding.

**May 25, 2023**

**Date Issued**

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Greg Witt

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.

