



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

Citation: Yitong Du v Kieran Garside, 2023 ONLTB 39047

Date: 2023-05-23

File Number: LTB-L-058861-22

In the matter of: 307, 185 ROEHAMPTON AVE TORONTO
ON M4P 1R4

Between: Yitong Du Landlord

And

Kelly Garside Tenants Kieran Garside

Yitong Du (the 'Landlord') applied for an order requiring Kelly Garside and Kieran Garside (the 'Tenants') to pay the rent that the Tenants owe.

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

Only the Landlord's representative Ryan Chen attended the hearing.

As of 9:47 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 vacated the rental unit on December 18, 2022. The Tenants were 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 December 18, 2022.
3. The Tenants did not pay the total rent they were required to pay for the period from July 15, 2022 to December 18, 2022.
4. The lawful rent is \$1,850.00. It is due on the 1st day of each month.
5. The Tenants have not made any payments since the application was filed.

6. The tenancy ended on December 18, 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 Tenant's obligation to pay rent also ended on that date.
7. The rent arrears and daily compensation owing to December 18, 2022 are \$9,496.67.

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8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
9. There is no rent being held on deposit.

It is ordered that:

1. The Tenants shall pay to the Landlord \$9,682.67. This amount includes rent arrears owing up to and the cost of the application.
2. If the Tenants do not pay the Landlord the full amount owing on or before June 3, 2023, the Tenants will start to owe interest. This will be simple interest calculated from June 4, 2023 at 6.00% annually on the balance outstanding.

May 23, 2023

Date Issued

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.

