



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

Citation: Zephyrinus Obi v Dante Bre Merritt, 2023 ONLTB 39045

Date: 2023-05-23

File Number: LTB-L-058692-22

In the matter of: Basement Apartment, 6 NEWMAN CRT BRAMPTON
ON L6S 5T1

Between: Zephyrinus Obi Landlord

And

Dante Bre Merritt Tenant

Zephyrinus Obi (the 'Landlord') applied for an order requiring Dante Bre Merritt (the 'Tenant') to pay the rent that the Tenant owes.

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

Only the Landlord Zephyrinus Obi and his representative Narainsamy Appasawmy, licensed paralegal attended the hearing.

As of 9:42 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 November 25, 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 November 25, 2022.
3. The Tenant did not pay the total rent they were required to pay for the period from May 1, 2022 to November 25, 2022.
4. The lawful rent is \$1,200.00. It is due on the 1st day of each month.
5. The Tenant has not made any payments since the application was filed.

6. The tenancy ended on November 25, 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 November 25, 2022 are \$4,602.75.

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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 Tenant shall pay to the Landlord \$4,788.75. This amount includes rent arrears owing up to November 25, 2022 and the cost of the application.
2. If the Tenant does not pay the Landlord the full amount owing on or before June 3, 2023, the Tenant 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.

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