



Order under Section 69 Residential Tenancies Act, 2006

Citation: 1435 Morrisset Residences Corp v Djuissi Gisline, 2023 ONLTB 37976

Date: 2023-05-23

File Number: LTB-L-058193-22

In the matter of: 703, 1435 MORISSET AVE
OTTAWA ON K1Z8H4

Between: 1435 Morrisset Residences Corp Landlord

And

Djuissi Gisline Tenant

1435 Morrisset Residences Corp (the 'Landlord') applied for an order to terminate the tenancy and evict Djuissi Gisline (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on April 24, 2023.

Only the Landlord's representative V. Orlandi attended the hearing.

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. The lawful rent is \$1,600.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$52.60. This amount is calculated as follows: \$1,600.00 x 12, divided by 365 days.
5. The Tenant has paid \$12,800.00 to the Landlord since the application was filed.
6. The rent arrears owing to April 30, 2023 are \$0.00. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and as only the filing fee remains unpaid, I find that it would not be unfair to grant relief from eviction pursuant to subsection 83(1)(a) of the Act.

It is ordered that:

1. The Tenant shall pay to the Landlord the sum of \$186.00, representing the filing fee owing.
2. If the Tenant does not pay the Landlord the full amount owing on or before June 10, 2023, the Tenant will start to owe interest. This will be simple interest calculated from June 11, 2023 at 6.00% annually on the balance outstanding.

May 23, 2023
Date Issued

Peter Nicholson
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.