



Order under Section 69 and 87(1) Residential Tenancies Act, 2006

Citation: Crestview Investment Corporation C/O Lawrence Construction Co. v Aleya Carrigan,
2023 ONLTB 38253

Date: 2023-05-19

File Number: LTB-L-078180-22

In the matter of: 507, 4 GRANDSTAND PL
EAST YORK ON M4H1E3

Between: Crestview Investment Corporation C/O Landlord
Lawrence Construction Co.

And

Aleya Carrigan Tenants
Lavinia Carrigan

Crestview Investment Corporation C/O Lawrence Construction Co. (the 'Landlord') applied for an order to terminate the tenancy and evict Aleya Carrigan and Lavinia Carrigan (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on May 10, 2023.

Only the Landlord's Agent Jana Komisar and the Landlord's Legal Representative Jeff Shabes attended the hearing.

As of 2:13 p.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. Since the Tenant did not attend and the Landlord was prepared to proceed, the matter proceeded by way of an uncontested hearing pursuant to section 7 of the *Statutory Powers Procedure Act*, R.S.O. 1990.

Determinations:

1. The Landlord served the Tenants with a valid Notice to End Tenancy Early for Nonpayment of Rent (N4 Notice). The Tenants 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 Tenants were still in possession of the rental unit.

3. The lawful rent was \$1,550.00 and in increased to \$1,588.75 on April 1, 2023. It is due on the 1st day of each month.
4. The Tenants have paid \$9,317.50 to the Landlord since the application was filed.
5. The rent arrears owing to May 31, 2023 are \$60.00.

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6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. At the hearing, the Landlord no longer sought an eviction of the Tenants given the substantial payments made and the small amount of arrears owing. The Landlord requested only an order the remaining rent arrears and cost incurred to file the application. I found the position of the Landlord to be fair and reasonable and it will be ordered.

It is ordered that:

1. The Tenants shall pay the Landlord \$246.00 for arrears of rent owing to May 31, 2023 and costs.
2. If the Tenants do not pay the full amount owing on or before June 15, 2023 then starting the June 16, 2013, the Tenants will start to owe interest. This will be simple interest calculated annually at 6.00% on the balance outstanding.

May 19, 2023

Date Issued

John Cashmore

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.

