



Order under Section 69 Residential Tenancies Act, 2006

Citation: TBDSSAB v Rebecca Coaster, 2023 ONLTB 38075

Date: 2023-05-19

File Number: LTB-L-060060-22

In the matter of: 511, 120 CUMBERLAND ST S THUNDER
BAY ON P7B5R7

Between: TBDSSAB Landlord

And

Rebecca Coaster Tenant

TBDSSAB (the 'Landlord') applied for an order to terminate the tenancy and evict Rebecca Coaster (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on April 25, 2023. Only the Landlord's legal representative B. Mcconkey-Kennelly attended the hearing.

As of 2:16 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 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 \$145.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$4.77. This amount is calculated as follows: \$145.00 x 12, divided by 365 days.
5. The rent arrears owing to April 30, 2023 are \$1.00.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. There is no last month's rent deposit.

8. I have considered all of the disclosed circumstances in accordance with subsection 83 of the Residential Tenancies Act, 2006 (the 'Act'), including the impact of COVID-19 on the parties and whether the Landlord attempted to negotiate a repayment agreement with the

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Tenant, and find that it would not be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act. The Landlord requested an order for arrears only. Based on the amount outstanding, I am satisfied this relief is appropriate.

It is ordered that:

1. The Tenant shall pay to the Landlord \$187.00. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application.
2. If the Tenant does not pay the Landlord the full amount owing on or before May 30, 2023, the Tenant will start to owe interest. This will be simple interest calculated from May 31, 2023 at 6.00% annually on the balance outstanding.

May 19, 2023

Date Issued

Camille Tancioco

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.

