



**Order under Section 69
Residential Tenancies Act, 2006**

Citation: Chris Cleary v June Gates, 2023 ONLTB 38156

Date: 2023-05-18

File Number: LTB-L-064537-22

In the matter of: Unit 5, 766 CUMBERLAND AVE PETERBOROUGH
ON K9H7B2

Between: Chris Cleary Landlord

And

June Gates Tenant

Chris Cleary (the 'Landlord') applied for an order to terminate the tenancy and evict June Gates (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on May 9, 2023.

Only the Landlord Chris Cleary attended the hearing.

As of 9:18a.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 \$710.70. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$23.37. This amount is calculated as follows: \$710.70 x 12, divided by 365 days.
5. The Tenant has paid \$6,396.89 to the Landlord since the application was filed.
6. The rent arrears owing to May 31, 2023 are \$0.00.

7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. As the Tenant has paid off all outstanding arrears the Landlord did not seek eviction and only seeks the repayment of the filing fee.

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It is ordered that:

1. The Tenant shall pay to the Landlord \$186.00 for their filing fee.
2. If the Tenant does not pay the Landlord the full amount owing on or before May 31, 2023 the Tenant will start to owe interest. This will be simple interest calculated from June 1, 2023 at 6% annually on the balance outstanding.

May 18, 2023

Date Issued

Amanda Kovats

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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