



Order under Section 69 Residential Tenancies Act, 2006

Citation: Marin v Ukoha Kalu, 2023 ONLTB 30024

Date: 2023-05-17

File Number: LTB-L-003653-22

In the matter of: Basement, 4039 MIDHURST LANE MISSISSAUGA
ON L4Z1C8

Between: Jessenia Marin and Jorge Marin Landlord

And

Ukaku Egwounwu Ukoha Kalu Tenant

Jessenia Marin and Jorge Marin (the 'Landlord') applied for an order to terminate the tenancy and evict Ukaku Egwounwu Ukoha Kalu (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on July 20, 2022.

The Landlord and the Tenant 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 \$1,100.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$36.16. This amount is calculated as follows: \$1,100.00 x 12, divided by 365 days.
5. The Tenant has paid \$8,800.00 to the Landlord since the application was filed.
6. The rent arrears owing to July 20, 2022 is the incurred costs of \$186.00 for filing the application and the Landlord is entitled to reimbursement of those costs.

It is ordered that:

1. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
2. If the Tenant does not pay the Landlord the full amount owing on or before May 28, 2023, the Tenant will start to owe interest. This will be simple interest calculated from May 29, 2023 at 5.00% annually on the balance outstanding.

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May 17, 2023

Date Issued

Percy Laryea

Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor Toronto
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

