



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

Citation: YW Kitchener-Waterloo v Alison Boomer, 2023 ONLTB 35457

Date: 2023-05-10

File Number: LTB-L-061366-22

In the matter of: 302, 1470 Block Line Road Kitchener
ON N2C0C6

Between: YW Kitchener-Waterloo and YW Kitchener-
Waterloo Landlord

And

Alison Boomer Tenant

YW Kitchener-Waterloo and YW Kitchener-Waterloo (the 'Landlord') applied for an order to terminate the tenancy and evict Alison Boomer (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on April 26, 2023.

Only the Landlord's Agent Abla Tsolu attended the hearing.

As of 1:40 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 \$351.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$11.54. This amount is calculated as follows: \$351.00 x 12, divided by 365 days.
5. The Tenant has paid \$1,357.98 to the Landlord since the application was filed.

6. The rent arrears owing to May 1, 2023 are \$3,110.72.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

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8. There is no last month's rent deposit.
9. At the hearing the Landlord proceeded on arrears only.

It is ordered that:

1. The tenancy between the Landlord and the Tenant will continue.
2. If the Tenant does not pay the Landlord the full amount owing **\$3,296.72** on or before July 9, 2023, the Tenant will start to owe interest. This will be simple interest calculated from July 10, 2023 at 6.00% annually on the balance outstanding.
3. The Landlord or the Tenant shall pay to the other any sum of money that is owed as a result of this order.

May 10, 2023

Date Issued

Anthony Bruno

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.

