



**Order under Subsection 87(1)  
Residential Tenancies Act, 2006**

**Citation:** Dale Gustafson v Crystal Tibbs, 2023 ONLTB 35436

**Date:** 2023-05-10

**File Number:** LTB-L-013337-23

**In the matter of:** 836 Minnie Avenue  
Fort Frances Ontario P9A2R1

**Between:** Dale Gustafson Landlord

**And**

Crystal Tibbs Tenant

Dale Gustafson (the 'Landlord') applied for an order requiring Crystal Tibbs (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on April 24, 2023.

Only the Landlord attended the hearing.

As of 10:44 a.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. As of the hearing date, the Tenant was still in possession of the rental unit.
2. The Tenant did not pay the total rent they were required to pay for the period from October 1, 2022 to April 30, 2023.
3. The lawful rent is \$975.00. It is due on the 1st day of each month.
4. The Tenant has paid \$3,353.41 to the Landlord after the application was filed.
5. The rent arrears owing to April 30, 2023 are \$3,311.59
6. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.

7. The Landlord testified that he and the Tenant had entered into a repayment plan that was not filed with the Board; he is willing to continue the payment plan as agreed to with the last payment being the payments the Tenant had missed.
8. I find the Landlord's resolution to be reasonable, the order shall be written accordingly.

**It is ordered that:**

Order Page: 1 of 2



**Tribunals Ontario**  
Landlord and Tenant Board

**Tribunaux décisionnels Ontario**  
Commission de la location immobilière

1. The Tenant shall pay to the Landlord \$3,512.59. according to the below schedule. This amount includes rent arrears owing up to April 30, 2023 and the cost of the application.
2. The Tenant shall pay to the Landlord:
  - a) \$328.41 to arrears each month for the period May 15, 2023 through January 5, 2023.
  - b) \$556.90, the final arrear payment, on February 15, 2024.
3. The Tenant shall also pay the Landlord the lawful monthly rent as follows:
  - a) For May 2023, if not already paid, on or before May 15, 2023.
  - b) In full and on time for the period June 1, 2023 through February 1, 2024.
4. If the Tenant does not make any of the payments required in paragraphs 2 and 3, the Landlord may ask the Board to re-open the application and hold a hearing. This request must be made by the Landlord within 30 days of the Tenant's failure to make a payment in full and on time.

**May 10, 2023**

**Date Issued**

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Diane Wade

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.

