



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

Citation: 260 Wellesley Residences v Waddarlens Simeon, 2023 ONLTB 35005

Date: 2023-05-09

File Number: LTB-L-067334-22

In the matter of: 224, 240 Wellesley Street East
Toronto ON M4X1G5

Between: 260 Wellesley Residences Landlord

And

Waddarlens Simeon Tenant

260 Wellesley Residences (the 'Landlord') applied for an order requiring Waddarlens Simeon (the 'Tenant') to pay the rent that the Tenant owes.

The Landlord also claimed charges related to NSF cheques.

This application was heard by videoconference on April 24, 2023 at 9:00 a.m.

Only the Landlord, represented by Charlie Bobrowsky, a Lawyer, attended the hearing.

As of 10:18 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. The Tenant did not pay the total rent they were required to pay for the period from March 1, 2021 to April 30, 2021 .
2. The lawful rent is \$1,400.00. It is due on the 1st day of each month.
3. The Tenant has not made any payments since the application was filed.
4. The Tenant is no longer in possession of the rental unit. The tenancy was not lawfully terminated in accordance with a notice of termination, LTB order or agreement to terminate the tenancy. Therefore, the Tenant's obligation to pay rent ends on April 30, 2021
5. The rent arrears and daily compensation owing to April 30, 2021 are \$5,600.00
6. The Landlord is entitled to \$20.00 to reimburse the Landlord for administration charges and \$5.00 for bank fees the Landlord incurred as a result of 1 cheque given by or on behalf of the Tenant which were returned NSF.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.



It is ordered that:

1. The Tenant shall pay to the Landlord \$5,786.00. This amount includes rent arrears owing up to and the cost of the application and unpaid NSF charges.
2. If the Tenant does not pay the Landlord the full amount owing on or before May 20, 2023, the Tenant will start to owe interest. This will be simple interest calculated from May 21, 2023 at 6.00% annually on the balance outstanding.

May 9, 2023
Date Issued

Peter Pavlovic
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.