



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

Citation: Demilia Investments II-A Limited v Jezebelle Vicente, 2023 ONLTB 35661

Date: 2023-05-08

File Number: LTB-L-018202-22

In the matter of: 1003, 111 INVERLOCHY BLVD
THORNHILL ON L3T3R7

Between: Demilia Investments II-A Limited Landlord

And

Jezebelle Vicente and Marshall Honecgoy Tenants

Demilia Investments II-A Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Jezebelle Vicente and Marshall Honecgoy (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

A de novo hearing of this application was conducted by videoconference on April 28, 2023.

Only the Landlord's representative, David Ciobotaru attended the hearing. As of 09:35 a.m. the Tenants were not present or represented at the hearing although properly served with the notice of this hearing by the Board.

Determinations:

1. The Landlord served the Tenants with a valid Notice to End Tenancy Early for Nonpayment of Rent (N4 Notice). The Tenants 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. The Tenants were in possession of the rental unit on the date the application was filed.
3. The Tenants paid all arrears for the period ending April 30, 2023 after the application was filed.
4. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
5. The only amount outstanding is part of the Landlord's cost of filing the application. As a result, the order will be limited to costs only and not eviction.

It is ordered that:

1. The Tenants shall pay to the Landlord \$186.00 for the cost of filing the application. Order

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2. If the Tenants do not pay the Landlord the full amount owing on or before May 19, 2023, the Tenants will start to owe interest. This will be simple interest calculated from May 20, 2023 at 6.00% annually on the balance outstanding.

May 8, 2023

Date Issued

Troy Rossignol

Vice Chair, Landlord and Tenant Board

15 Grosvenor St, 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.

