



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

Citation: Dung thi Vuong v Joe & Ashley Carre, 2023 ONLTB 35478

Date: 2023-05-05

File Number: LTB-L-061649-22

In the matter of: Basement Apartment, 532 LAKE DR S KESWICK
ON L4P1S2

Between: Dung thi Vuong Landlord

And

Joe Carre Tenants Ashley Carre

Dung thi Vuong (the 'Landlord') applied for an order to terminate the tenancy and evict Joe Carre & Ashley Carre (the 'Tenants') because the Tenants did not pay the rent that the Tenant owes.

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

Only the Landlord attended the hearing.

As of 2:28 p.m., the Tenants were 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.

At the hearing, the Landlord proceeded on arrears only, which means there is no eviction order, and the Tenants can remain in the rental unit.

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 \$1,200.00. It is due on the 1st day of each month.

4. The Tenant has paid \$3,240.00 to the Landlord since the application was filed.
5. The rent arrears owing to April 30, 2023 are \$7280.00.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. There is no last month's rent deposit.

File Number: LTB-L-061649-22

It is ordered that:

1. The tenancy between the Landlord and the Tenant continues.
2. If the Tenant does not pay the Landlord the full amount owing on or before May 16, 2023, the Tenant will start to owe interest. This will be simple interest calculated from May 17, 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 5, 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.

File Number: LTB-L-061649-22

**Schedule 1
SUMMARY OF CALCULATIONS**

A. Amount the Tenant must pay the Landlord

Rent Owing To May 31, 2023	\$11,720.00
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$3,240.00
Less the amount the Tenant paid into the LTB since the application was filed	- \$0.00
Less the amount the Landlord owes the Tenant for an{abatement/rebate}	- \$0.00
Less the amount of the credit that the Tenant is entitled to	- \$0.00
Total the Tenant must pay to continue the tenancy	\$7,466.00