



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

Citation: CAPREIT LIMITED PARTNERSHIP v Theepalatha Vigneswaran, 2023 ONLTB 34431

Date: 2023-05-05

File Number: LTB-L-057600-22

In the matter of: 611, 30 TUXEDO CRT
SCARBOROUGH ON M1G3S6

Between: CAPREIT LIMITED PARTNERSHIP Landlord

And

Theepalatha Vigneswaran

Tenant

CAPREIT LIMITED PARTNERSHIP (the 'Landlord') applied for an order to terminate the tenancy and evict Theepalatha Vigneswaran (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

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

Only the Landlord's legal representative, Jason Paine, attended the hearing.

As of 9:56am, 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. The Tenant is in possession of the rental unit.
3. The lawful rent as of January 1, 2023 is \$1,296.33 and it is due on the first day of each month.
4. The Tenant has paid \$10,145.00 to the Landlord since the application was filed.

5. The rent arrears owing to April 30, 2023 are \$90.68.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. At the hearing, the Landlord requested an order for the arrears and filing fee without termination of the tenancy. I see no reason to deny the Landlords request.

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It is ordered that:

1. The Tenant shall pay to the Landlord \$276.68 for arrears of rent to April 30, 2023 and costs.
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.

May 5, 2023

Date Issued

Terri van Huisstede
Member, 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.

