



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

**Citation:** JDN Property Management Inc v Kilmer, 2023 ONLTB 34055

**Date:** 2023-05-04

**File Number:** LTB-L-005088-23

**In the matter of:** 1238 LIMBERLOST RD LONDON  
ON N6G3A5

**Between:** JDN Property Management Inc Landlord

**And**

Celine Granjean Tenants Christina Kilmer

JDN Property Management Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Celine Granjean and Christina Kilmer (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on March 29, 2023. Only the Landlord's legal representative, R. Fex attended the hearing.

As of 9:37am, 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.

**Determinations:**

1. The Tenants vacated the rental unit on October 3, 2022. The Tenants were in possession on the date that the application was filed.
2. The Tenant vacated the rental unit on October 3, 2022. Rent arrears are calculated up to the date the Tenant vacated the unit.
3. The lawful rent is \$1,720.00. It was due on the 1st day of each month.
4. The Tenants have not made any payments since the application was filed.
5. The rent arrears owing to October 3, 2022 are \$13,720.00.
6. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.
7. There is no last month's rent deposit.

**It is ordered that:**

1. The tenancy between the Landlord and the Tenants is terminated as of October 3, 2022, the date the Tenants moved out of the rental unit

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2. The Tenants shall pay to the Landlord \$13,921.00. This amount includes rent arrears owing up to the date the Tenants moved out of the rental unit and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.
3. If the Tenants do not pay the Landlord the full amount owing on or before May 15, 2023, the Tenants will start to owe interest. This will be simple interest calculated from May 16, 2023 at 6.00% annually on the balance outstanding.

**May 4, 2023**

**Date Issued**

\_\_\_\_\_  
Curtis Begg

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.

\*Note: When the LTB directs payment-out, the Canadian Imperial Bank of Commerce will issue a cheque to the appropriate party named in this notice. The cheque will be in the amount directed plus any interest accrued up to the date of the notice.

**Schedule 1  
SUMMARY OF CALCULATIONS**

**A. Amount the Tenant must pay as the tenancy is terminated**

Rent Owing To Move Out Date	\$13,720.00
Application Filing Fee	\$201.00
NSF Charges	\$0.00
<b>Less</b> the amount the Tenant paid to the Landlord since the application was filed	- \$0.00
<b>Less</b> the amount the Tenant paid into the LTB since the application was filed	- \$0.00
<b>Less</b> the amount of the last month's rent deposit	- \$0.00
<b>Less</b> the amount of the interest on the last month's rent deposit	- \$0.00
<b>Less</b> the amount the Landlord owes the Tenant for an {abatement/rebate}	- \$0.00
<b>Less</b> the amount of the credit that the Tenant is entitled to	- \$0.00
<b>Total amount owing to the Landlord</b>	<b>\$13,921.00</b>