



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

Citation: Pinedale Properties Ltd v Cabusora, 2023 ONLTB 34060

Date: 2023-05-02

File Number: LTB-L-006413-23

In the matter of: 1805, 3636 Bathurst Street Toronto
Ontario M6A2Y5

Between: Pinedale Properties Ltd Landlord

And

Cynthia Cabusora,
Gilrey Sabio Jack Cabusora Tenants

Pinedale Properties Ltd (the 'Landlord') applied for an order to terminate the tenancy and evict Cynthia Cabusora, Gilrey Sabio and Jack Cabusora (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, S. Korman attended the hearing.

As of 10:07am, 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 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. As of the hearing date, the Tenants were still in possession of the rental unit.
3. The lawful rent is \$2,215.26. It is due on the 1st day of each month.
4. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.
5. The Landlord's representative claims that as of the date of the hearing the Tenants only owed the filing fee. As such an order for costs shall issue.

It is ordered that:

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1. The Tenants shall pay to the Landlord \$201.00, which represents the amount the Landlord paid to file the application.
2. If the Tenants do not pay the Landlord the full amount owing on or before May 13, 2023, the Tenants will start to owe interest. This will be simple interest calculated from May 14, 2023 at 6.00% annually on the balance outstanding.
3. The Landlord or the Tenants shall pay to the other any sum of money that is owed as a result of this order.

May 2, 2023

Date Issued

Curtis Begg

Member, Landlord and Tenants 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.

