



Order under Subsection 87(1) Residential Tenancies Act, 2006

Citation: AARON WILLING v RONALD NICHOLLS, 2023 ONLTB 33746

Date: 2023-05-02

File Number: LTB-L-012544-23

In the matter of: 2, 66 LIVERPOOL STREET
GUELPH ONTARIO N1H2L1

Between: AARON WILLING and WILLIAMS&MCDANIEL Landlord
PROPERTY MANAGEMENT

And

RONALD NICHOLLS Tenant

AARON WILLING and WILLIAMS&MCDANIEL PROPERTY MANAGEMENT (the 'Landlord') applied for an order requiring RONALD NICHOLLS (the 'Tenant') to pay the rent that the Tenant owes. The Landlord also claimed charges related to NSF cheques.

This application was heard by videoconference on April 12, 2023.

Only the Landlord's representative T. Kelly attended the hearing.

Determinations:

1. The Tenant did not pay the total rent they were required to pay for the period from January 1, 2023 to February 28, 2023.
2. The lawful rent is \$1550.76. It is due on the 1st day of each month.
3. The Tenant has not made any payments since the application was filed.
4. The Tenant is no longer in possession of the rental unit. The tenancy was not lawfully terminated in accordance with a notice of termination, LTB order or agreement to terminate the tenancy. Therefore, the Tenant's obligation to pay rent ends on February 28, 2023.
5. The rent arrears and daily compensation owing to February 28, 2023 are \$3,101.52
6. The Landlord collected a rent deposit of \$1,495 from the Tenant and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy is terminated.
7. Interest on the rent deposit, in the amount of \$65.33 is owing to the Tenant for the period from June 16, 2020 to February 28, 2023.
8. The Landlord is entitled to \$20.00 to reimburse the Landlord for administration charges and \$0.00 for bank fees the Landlord incurred as a result of 1 cheque given by or on behalf of the Tenant which were returned NSF.



9. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The Tenant shall pay to the Landlord \$1,762.19. This amount includes rent arrears owing up to February 28, 2023 and the cost of the application and unpaid NSF charges minus the rent deposit and interest owing.
2. If the Tenant does not pay the Landlord the full amount owing on or before May 13, 2023, the Tenant will start to owe interest. This will be simple interest calculated from May 14, 2023 at 6.00% annually on the balance outstanding.

May 2, 2023
Date Issued

Peter Nicholson
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.