



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

Citation: Sidhu v Jackson, 2023 ONLTB 34173

Date: 2023-05-01

File Number: LTB-L-007102-23

In the matter of: 1441 Bridge Road
Oakville ON L6L2C9

Between: Justin Sidhu Landlord

And

Sherry Jackson Tenant

Justin Sidhu (the 'Landlord') applied for an order requiring Sherry Jackson (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on March 30, 2023. The Landlord attended the hearing. As of 11:08 am, 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 Tenant did not pay the total rent they were required to pay for the period from August 1, 2022 to December 17, 2022.
2. The lawful rent is \$3,600.00. 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 December 17, 2022, the date the Tenant vacated the rental unit.
5. The rent arrears and daily compensation owing to December 17, 2022 are \$13,412.12
6. The Landlord collected a rent deposit of \$2,500.00 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 \$47.84 is owing to the Tenant for the period from May 15, 2021 to December 17, 2022.

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

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Tribunals Ontario
Landlord and Tenant Board

Tribunaux décisionnels Ontario
Commission de la location immobilière

It is ordered that:

1. The Tenant shall pay to the Landlord \$11,065.28. This amount includes rent arrears owing up to December 17, 2022 and the cost of the application minus the rent deposit and interest owing.
2. If the Tenant does not pay the Landlord the full amount owing on or before May 12, 2023, the Tenant will start to owe interest. This will be simple interest calculated from May 13, 2023 at 6.00% annually on the balance outstanding.

May 1, 2023

Date Issued

Kimberly Parish

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.

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