



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

Citation: 240 Markland Drive LP v Khoshbin, 2023 ONLTB 32788

Date: 2023-04-26

File Number: LTB-L-046956-22

In the matter of: 704, 240 MARKLAND DR
ETOBICOKE ON M9C 1R3

Between: 240 Markland Drive LP Landlord

And

Aryou Khoshbin Tenant

240 Markland Drive LP (the 'Landlord') applied for an order requiring Aryou Khoshbin (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on March 14, 2023.

Only the Landlord's representative Melissa Anjema, licensed paralegal attended the hearing.

As of 2:16 p.m. 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 vacated the rental unit on September 14, 2022. The Tenant was in possession of the rental unit on the date the application was filed.
2. The Landlord amended their application to an L9 application solely for arrears of rent and the filing fee. The Landlord was seeking the arrears outstanding to September 14, 2022.
3. The Tenant did not pay the total rent they were required to pay for the period from July 1, 2022 to September 14, 2022.
4. The lawful rent is \$2,850.00. It is due on the 1st day of each month.
5. The Tenant has made \$2,895.00 in payments since the application was filed.
6. The tenancy ended on September 14, 2022 as a result of the Tenant moving out in accordance with a notice of termination, LTB order or agreement to terminate the tenancy. Therefore, the Tenant's obligation to pay rent also ended on that date.
7. The rent arrears and daily compensation owing to September 14, 2022 are \$3,846.78.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.



9. There is a rent deposit of \$2,850.00 being held by the Landlord. Interest owing on the rent deposit is \$66.50.

It is ordered that:

1. The Tenant shall pay to the Landlord \$1,116.28. This amount includes rent arrears owing up to September 14, 2022 and the cost of the application, less the rent deposit and interest owing.
2. If the Tenant does not pay the Landlord the full amount owing on or before May 7, 2023, the Tenant will start to owe interest. This will be simple interest calculated from May 8, 2023 at 6.00% annually on the balance outstanding.

April 26, 2023
Date Issued

Greg Witt
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.