



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

Citation: Skyline Living v Gilbert Bouvier, 2023 ONLTB 32559

Date: 2023-04-25

File Number: LTB-L-056206-22

In the matter of: 103, 107 COMPTON ST
KINGSTON ON K7K5Z5

Between: Skyline Living Landlord

And

Gilbert Bouvier and Sandra Labrash Tenants

Skyline Living (the 'Landlord') applied for an order to terminate the tenancy and evict Gilbert Bouvier and Sandra Labrash (the 'Tenant') because the Tenant did not 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.

The Landlord's Legal Representative Julia Keeping and the Tenants attended the hearing

Determinations:

1. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant 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. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Tenant vacated the rental unit on February 17, 2023. Rent arrears are calculated up to the date the Tenant vacated the unit.
4. The lawful rent was \$1,295.97.
5. The Tenant has paid \$7,009.67 to the Landlord since the application was filed.
6. The rent arrears owing to February 17, 2023 are \$2,209.24.

7. The Landlord is entitled to \$120.00 to reimburse the Landlord for administration charges and \$0.00 for bank fees the Landlord incurred as a result of 6 cheques given by or on behalf of the Tenant which were returned NSF.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

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9. The parties agree the outstanding amount is \$2,515.19. They have also agreed the wish this amount be due one month after this order is written or interest will start to occur.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of February 17, 2023, the date the Tenant moved out of the rental unit
2. The Tenant shall pay to the Landlord **\$2,515.19**. This amount includes rent arrears owing up to the date the Tenant moved out of the rental unit and the cost of filing the application and unpaid NSF charges. The rent deposit and interest the Landlord owes on the rent deposit is deducted from the amount owing by the Tenant. See Schedule 1 for the calculation of the amount owing.
3. If the Tenant does not pay the Landlord the full amount owing on or before May 25, 2023, the Tenant will start to owe interest. This will be simple interest calculated from May 26, 2023 at 6.00% annually on the balance outstanding.

April 25, 2023

Date Issued

Anthony Bruno

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.

