



Order under Section 69 Residential Tenancies Act, 2006

Citation: MEDALLION CORPORATION v David Tomlinson, 2023 ONLTB 32032

Date: 2023-04-24

File Number: LTB-L-053962-22

In the matter of: 202, 3400 WESTON RD NORTH
YORK ON M9M2W2

Between: MEDALLION CORPORATION Landlord

And

David Tomlinson Tenant

MEDALLION CORPORATION (the 'Landlord') applied for an order to terminate the tenancy and evict David Tomlinson (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on April 11, 2023.

The Landlord and the Tenant attended the hearing.

Only the Landlord's legal representative, Maria Jelic, attended the hearing. As of 12:17 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 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. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$1,872.20. It is due on the day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$61.55. This amount is calculated as follows: \$1,872.20 x 12, divided by 365 days.
5. There are no rent arrears owing to April 30, 2023.

6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs. The Tenant currently owes \$183.00 of this amount. The Landlord seeks an order for this amount only, plus interest.

Order Page: 1 of 2

File Number: LTB-L-053962-22

It is ordered that:

1. The Tenant shall pay \$183.00 to the Landlord for the balance of the application fee.
2. If the Tenant does not pay the Landlord the full amount owing on or before May 5, 2023, the Tenant will start to owe interest. This will be simple interest calculated from May 6, 2023 at 6.00% annually on the balance outstanding.

April 24, 2023

Date Issued

Sean Henry

Vice Chair, 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.

