



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

**Citation:** Cambridge Place Apartments Ltd c/o Realstar Management Partnership v Joy, 2023  
ONLTB 31651

**Date:** 2023-04-24

**File Number:** LTB-L-031912-22

**In the matter of:** 2227, 30 DENTON AVE  
SCARBOROUGH ON M1L4P2

**Between:** Cambridge Place Apartments Ltd c/o Realstar Management Partnership Landlord

**And**

Neenu Joy Tenant

Cambridge Place Apartments Ltd c/o Realstar Management Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Neenu Joy (the 'Tenant') because:

- the Tenant has been persistently late in paying the Tenant's rent.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on April 5, 2023.

Only the Landlord's representative, Faith McGregor attended the hearing.

As of 9:36 a.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 was in possession of the rental unit on the date the application was filed.
2. On May 31, 2022, the Landlord gave the Tenant an N8 notice of termination, with a termination date of August 31, 2022.

3. The Tenant vacated the rental unit on August 21, 2022.
4. Pursuant to section 37(2) of the *Residential Tenancies Act, 2006* (“Act”), the tenancy terminated on August 31, 2022, which is the termination date on the N8 notice.

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5. As the Tenant complied with the N8 notice and vacated the rental unit by the termination date, I find that the Tenant should not be ordered to pay the filing fee. The Landlord chose to file this application and incur the filing fee without waiting to find out if the Tenant was going to move out by the termination date.

**It is ordered that:**

1. The tenancy between the Landlord and the Tenant is terminated as of August 31, 2022.

**April 24, 2023**

**Date Issued**

\_\_\_\_\_ Camille Clyne

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.

