



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

**Citation:** Smart Living on McLeod Street Inc. v Cody Robson, 2023 ONLTB 32037

**Date:** 2023-04-21

**File Number:** LTB-L-052970-22

**In the matter of:** 102, 330 MCLEOD ST OTTAWA  
ON K2P1A3

**Between:** Smart Living on McLeod Street Inc. Landlord

**And**

Cody Robson Tenant

Smart Living on McLeod Street Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Cody Robson (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's Agent, Alexander Traboulis and the Tenant attended the hearing.

The Tenant requested an adjournment to have additional time to prepare. The Tenant had opportunity to speak to Tenant Duty Counsel for advice and had ample time to prepare. His request was denied because it would not be efficient use of the Board's time and resources as the issue is not complicated.

**Determinations:**

1. There's no dispute the Tenant has vacated the rental unit and the tenancy terminated on December 31, 2022.
2. After the application was filed, the Tenant has paid the total rent they were required to pay for the period ending December 31, 2022,.
3. The Tenant has not paid the application filing fee in full to the Landlord and the balance owing is \$165.73. The Tenant challenged the cost of the application fee but agrees that he was in arrears at the time of filing, as such, the Landlord had a reasonable basis to file the application and therefore is entitled to the cost of the application fee.

**It is ordered that:**

1. The Tenant shall pay to the Landlord \$165.73 for the unpaid cost of filing the application.

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2. If the Tenant does not pay the Landlord the full amount owing\* on or before May 2, 2023, the Tenant will start to owe interest. This will be simple interest calculated from May 3, 2023 at 6.00% annually on the balance outstanding.

**April 21, 2023**

**Date Issued**

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Sandra Macchione

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.

