



## Order under Section 69 Residential Tenancies Act, 2006

**Citation:** Liza Al jarrah v Eric Grecco-leblanc, 2023 ONLTB 32082

**Date:** 2023-04-19

**File Number:** LTB-L-053575-22

**In the matter of:** 249 ALBERT ST  
ARNPRIOR ON K7S2M4

**Between:** Liza Al jarrah Landlord

**And**

Eric Grecco-leblanc Tenant

Liza Al jarrah (the 'Landlord') applied for an order to terminate the tenancy and evict Eric Greccoleblanc (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

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

Only the Landlord attended the hearing. As of 12:42 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 has not demonstrated that she served the Tenant with the Notice to End Tenancy Early for Non-payment of Rent (N4 Notice) that forms the basis of the application. Specifically, the Landlord testified that she served the Tenant by email. The Landlord submitted a screen shot of a text conversation between the parties which the Landlord testified supports the Landlord's assertion that the Tenant received the N4 Notice. However, the email is devoid of content demonstrative of the Tenant's receipt of this document, such as might be revealed by an admission of receipt by the Tenant. As such, I determined that the Landlord has not proven on a balance of probabilities that the Tenant was served with the N4 Notice. Thereafter, as between dismissal of the application or an order for arrears of rent only, the Landlord requested that the hearing proceed for an order for arrears of rent, only.
2. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$1,973.05. It is due on the day of each month.

4. The Tenant has not made any payments since the application was filed.
5. The rent arrears owing to April 30, 2023 are \$13,153.17.

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6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

**It is ordered that:**

1. The Tenant shall pay to the Landlord \$13,339.17. This amount includes rent arrears owing up to April 30, 2023 and the cost of filing the application.
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**

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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.

