



Order under Subsection 87(1) Residential Tenancies Act, 2006

Citation: HALTON COMMUNITY HOUSING CORP. v ANIGWE, 2023 ONLTB 30502

Date: 2023-04-18

File Number: LTB-L-059504-22

In the matter of: 320 BURLOAK DRIVE
BURLINGTON ONTARIO L7L4W5

Between: HALTON COMMUNITY HOUSING CORP. Landlord

And

IRENE ANIGWE Tenant

HALTON COMMUNITY HOUSING CORP. (the 'Landlord') applied for an order requiring IRENE ANIGWE (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on March 28, 2023. The Landlord's representative, Peter Vansickle, attended the hearing. As of 11:24 am, 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's last day of possession of the unit was July 8, 2022, the day that the Tenant vacated the unit. The Landlord's application was filed on July 8, 2022. I therefore find that the Tenant was in possession of the rental unit on the date the application was filed, pursuant to s. 87(1.1)(a) of the *Residential Tenancies Act, 2006*.
2. The Tenant did not pay the total rent they were required to pay for the period from September 1, 2021 to July 8, 2022.
3. The lawful rent is \$987.00. It is due on the 1st day of each month.
4. The Tenant paid \$1,136.00 to the Landlord the day the application was filed.
5. The tenancy ended on July 8, 2022 as a result of the Tenant moving out in accordance with an N11 Agreement to End the Tenancy, signed by both parties on June 17, 2022, to terminate the tenancy on July 8, 2022. Therefore, the Tenant's obligation to pay rent also ended on July 8, 2022.
6. The rent arrears and daily compensation owing to July 8, 2022 are \$6,729.60. This includes arrears of \$7,606.00 from September 1, 2021 to June 30, 2022, plus arrears of \$259.60 for the period of July 1 to 8, 2022 (using a daily compensation rate of \$32.45), **LESS** the \$1,136.00 payment from the Tenant on the day the application was filed.

7. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord did not hold a rent deposit for this tenancy.

It is ordered that:

1. The Tenant shall pay to the Landlord \$6,930.60. This amount includes rent arrears owing up to July 8, 2022 and the cost of the application.
2. If the Tenant does not pay the Landlord the full amount owing on or before April 29, 2023, the Tenant will start to owe interest. This will be simple interest calculated from April 30, 2023 at 6.00% annually on the balance outstanding.

April 18, 2023

Date Issued

Frank Ebner

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.