



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

Citation: Parkdale Apartments Nominee 1 v Pennycuick, 2023 ONLTB 30361

Date: 2023-04-13

File Number: LTB-L-010447-23

In the matter of: 303, 200 Jameson Avenue Toronto
Ontario M6K2Z6

Between: Parkdale Apartments Nominee 1 Landlord

And

Lacey Pennycuick Tenant

Parkdale Apartments Nominee 1 (the 'Landlord') applied for an order requiring Lacey Pennycuick (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on March 28, 2023. Only the Landlord's legal representative Bryan Rubin attended the hearing.

As of 10:14am, 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 vacated the rental unit on December 31, 2022. The Tenant was in possession of the rental unit on the date the application was filed.
2. The Tenant did not pay the total rent they were required to pay for the period from April 1, 2020 to December 31, 2022.
3. The lawful rent is \$1,597.94. It is due on the 1st day of each month.
4. The Tenant has not made any payments since the application was filed.
5. The rent arrears and daily compensation owing to December 31, 2022 are \$5,960.65
6. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.

7. The Landlord collected a rent deposit of \$1,597.94 from the Tenant and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy is terminated.
8. Interest on the rent deposit, in the amount of \$9.72 is owing to the Tenant for the period from December 31, 2022.

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2023 ONL TB 30361 (CanLII)

It is ordered that:

1. The Tenant shall pay to the Landlord \$4,553.99. This amount includes rent arrears owing up to June 30, 2022 and the cost of the application minus the rent deposit and interest owing.
2. If the Tenant does not pay the Landlord the full amount owing on or before April 24, 2023, the Tenant will start to owe interest. This will be simple interest calculated from April 25, 2023 at 6.00% annually on the balance outstanding.

April 13, 2023

Fabio Quattrociochi

Date Issued

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.

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