



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

Citation: Skyline Living v Larabie, 2023 ONLTB 30706

Date: 2023-04-11

File Number: LTB-L-009714-23

In the matter of: 212, 754 Laflin Avenue
Cornwall ON K6J3M5

Between: Skyline Living Landlord

And

Crystal Larabie Tenant

Skyline Living (the 'Landlord') applied for an order requiring Crystal Larabie (the 'Tenant') to pay the rent that the Tenant owes.

The Landlord also claimed charges related to NSF cheques.

This application was heard by videoconference on March 29, 2023.

Only the Landlord's agent, Zachary Noyes attended the hearing.

As of 10:34am, 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 November 23, 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 October 1, 2022 to March 31, 2023.
3. The lawful rent is \$1,132.65. 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 Tenant is no longer in possession of the rental unit. The tenancy was not lawfully terminated in accordance with a notice of termination, LTB order or agreement to terminate the tenancy. Therefore, the Tenant's obligation to pay rent ends on January 31, 2023. The

Tenant gave the Landlord a notice on October 27, 2022 that the Tenant would vacate the unit on November 23, 2022 which is not a valid 60 day notice.

6. The rent arrears and daily compensation owing to January 31, 2023 are \$4,530.60

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7. The Landlord collected a rent deposit of \$1,132.65 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. The Landlord is entitled to \$40.00 to reimburse the Landlord for administration charges and bank fees the Landlord incurred as a result of 2 cheques given by or on behalf of the Tenant which were returned NSF.
9. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The Tenant shall pay to the Landlord \$3,638.95. This amount includes rent arrears owing up to January 31, 2023 and the cost of the application and unpaid NSF charges minus the rent deposit owing.
2. If the Tenant does not pay the Landlord the full amount owing on or before April 22, 2023, the Tenant will start to owe interest. This will be simple interest calculated from April 23, 2023 at 6.00% annually on the balance outstanding.

April 11, 2023

Date Issued

Nicole Huneault

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.

