



**Order under Section 30
Residential Tenancies Act, 2006**

Citation: Rowley v Iqbal, 2023 ONLTB 30200

Date: 2023-04-05

File Number: LTB-T-016660-23

In the matter of: 17 PEACOCK TRAIL
ALLISTON ON L9R0T7

Between: Asif Iqbal Landlord

And

Heather Jane Rowley Tenant

Heather Jane Rowley (the 'Tenant') applied for an order determining that Asif Iqbal (the 'Landlord') failed to meet the Landlord's maintenance obligations under the *Residential Tenancies Act, 2006* (the 'Act') or failed to comply with health, safety, housing or maintenance standards.

This application was heard by videoconference on March 30, 2023.

The Tenant and the Landlord attended the hearing.

Determinations:

1. This application concerns no heat in the rental unit reported to the Landlord on February 19, 2023; the repair was done on February 23, 2023, by a contractor called by the Tenant. The Landlord does not dispute these facts and agreed to pay the Tenant all remedies requested, including amending the remedies to reflect the actual expenses incurred.
2. The requested abatement amount has been adjusted to reflect 5 days at \$82.19, the proper per-diem amount; the total comes to \$410.95.

It is ordered that:

1. The Landlord shall pay the Tenant a rent abatement of \$410.95.
2. The Landlord shall also pay the Tenant \$1,795.53 in out-of-pocket expenses reasonably incurred.
3. The Landlord shall also pay the Tenant \$48.00 for the cost of filing the application.

4. The total amount the Landlord owes the Tenant is \$1,843.30.
5. The Landlord shall pay the Tenant the full amount owing by April 16, 2023.
6. If the Landlord does not pay the Tenant the full amount by April 16, 2023, the Landlord will owe interest, this will be simple interest calculated at 6% annually on the outstanding balance.

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7. If the Landlord does not pay the Tenant the full amount owing by April 16, 2023, the Tenant may recover this amount by deducting the amount owing from their rent on May 1, 2023.
8. The Tenant has the right at any time, to collect the full amount owing or any balance outstanding under this order.

April 5, 2023
Date Issued

Diane Wade
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.

