



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

**Citation:** 2193022 ONTARIO INC. v NAKAWUNGU, 2023 ONLTB 27509

**Date:** 2023-03-30

**File Number:** LTB-L-063678-22

**In the matter of:** MAIN UNIT, 261 WALLACE AVE S  
WELLAND ON L3B1R7

**Between:** 2193022 ONTARIO INC. Landlord

**And**

ROSETTE NAKAWUNGU Tenant

2193022 ONTARIO INC. (the 'Landlord') applied for an order requiring ROSETTE NAKAWUNGU (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on March 14, 2023. Only the Landlord's representative Francesca Judd attended the hearing.

As of 2:00 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 Tenant vacated the rental unit on September 4, 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 November 1, 2021 to September 30, 2022.
3. The lawful rent is \$1,750.00. 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 September 30, 2022.

6. The rent arrears and daily compensation owing to September 30, 2022 are \$4,975.00
7. 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 \$5,176.00. This amount includes rent arrears owing up to September 30, 2022 and the cost of the application.
2. If the Tenant does not pay the Landlord the full amount owing on or before April 10, 2023, the Tenant will start to owe interest. This will be simple interest calculated from April 11, 2023 at 5.00% annually on the balance outstanding.

**March 30, 2023**

**Date Issued**

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Dawn Sullivan

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.

