



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

**Citation:** THE APARTMENT SHOPPE v ALIZADEH, 2023 ONLTB 27947

**Date:** 2023-03-29

**File Number:** LTB-L-000856-23

**In the matter of:** 3, 77 CARTWRIGHT STREET LONDON  
ON N6B2W6

**Between:** David Russell Landlords  
The Apartment Shoppe

**And**

Erin Alizadeh Tenant

David Russell and The Apartment Shoppe (the 'Landlords') applied for an order requiring Erin Alizadeh (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on March 13, 2023.

The Landlords did not attend the hearing but was represented by Jonathan Day.

As of 2:21 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 30, 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 May 1, 2022 to September 30, 2022.
3. The lawful rent is \$1,055.70. 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 tenancy ended on September 30, 2022 as a result of the Tenant moving out in accordance with a notice of termination, LTB order or agreement to terminate the tenancy. Therefore, the Tenant's obligation to pay rent also ended on that date.

6. The rent arrears and daily compensation owing to September 30, 2022 are \$5,278.50
7. The Landlord collected a rent deposit of \$1,035 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.

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8. 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 \$4,444.50. This amount includes rent arrears owing up to September 30, 2022 and the cost of the application minus the rent deposit.
2. If the Tenant does not pay the Landlord the full amount owing on or before April 9, 2023, the Tenant will start to owe interest. This will be simple interest calculated from April 10, 2023 at 5.00% annually on the balance outstanding.

**March 29, 2023**

**Date Issued**

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Emile Ramlochan

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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