



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

**Citation:** Skyline Living v Cartwright, 2023 ONLTB 27420

**Date:** 2023-03-29

**File Number:** LTB-L-061426-22

**In the matter of:** 206, 32 Dawson Road  
Guelph Ontario N1H5V1

**Between:** Skyline Living Landlord

**And**

Thomas Cartwright Tenant

Skyline Living (the 'Landlord') applied for an order requiring Thomas Cartwright (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 14, 2023. Only the Landlord's representative, Jannica De la Paz, attended the hearing.

As of 11:00 a.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 August 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 June 1, 2022 to August 31, 2022.
3. The lawful rent is \$1,507.65. It is due on the 1st day of each month.
4. The Tenant has paid \$30.14 to the Landlord after the application was filed.
5. The tenancy ended on August 31, 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 August 31, 2022 are \$3,992.81.
7. The Landlord is entitled to \$40.00 reimbursement for bank fees incurred as a result of 2 cheques given by or on behalf of the Tenant which were returned NSF.

8. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.

Order Page: 1 of 2

**File Number:** LTB-L-061426-22

**It is ordered that:**

1. The Tenant shall pay to the Landlord \$4,233.81. This amount includes rent arrears owing up to August 31, 2022 and the cost of the application and unpaid NSF charges.
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**

---

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.

2023 ONLTB 27420 (CanLII)

Order Page: 2 of 2

