



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

**Citation:** Skyline Living v Mistak, 2023 ONLTB 27285

**Date:** 2023-03-28

**File Number:** LTB-L-060443-22

**In the matter of:** 414, 625 Beverly Street  
Thunder Bay Ontario P7B5X1

**Between:** Skyline Living Landlord

**And**

Robert Mistak Tenant

Skyline Living (the 'Landlord') applied for an order requiring Robert Mistak (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 Sandi Robertson-Brooks 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 November 25, 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 November 25, 2022.
3. The lawful rent is \$1,091.22. It is due on the 1st day of each month.
4. The Tenant paid \$223.33 since the application was filed.
5. The tenancy ended on November 25, 2022 as a result of the Tenant moving out in accordance with an LTB order. Therefore, the Tenant's obligation to pay rent also ended on that date.
6. The rent arrears and daily compensation owing to November 25, 2022 are \$6,059.27.

7. The Landlord is entitled to \$40.00 to reimburse the Landlord for administration charges the Landlord 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.

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**It is ordered that:**

1. The Tenant shall pay to the Landlord \$6,300.27. This amount includes rent arrears owing up to November 25, 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 8, 2023, the Tenant will start to owe interest. This will be simple interest calculated from April 9, 2023 at 5.00% annually on the balance outstanding.

**March 28, 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.

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