



## **Order under Section 69 Residential Tenancies Act, 2006**

**Citation:** WCP Lofts 1 LP DBA Foundry Lofts v Okwach, 2023 ONLTB 23916

**Date:** 2023-03-27

**File Number:** LTB-L-034861-22

**In the matter of:** 205, Bedroom 1, 3490 Schmon Parkway,  
Building 5  
Thorold ON L2V0C4

**Between:** WCP Lofts 1 LP DBA Foundry Lofts Landlord

**And**

Eugene Okwach Tenant

WCP Lofts 1 LP DBA Foundry Lofts (the 'Landlord') applied for an order to terminate the tenancy and evict Eugene Okwach (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on February 1, 2023.

The Landlord's Legal Representative Sara Murtadha and the Tenant attended the hearing.

### **Determinations:**

1. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the N4 Notice or before the date the application was filed.
2. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$628.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$20.65. This amount is calculated as follows: \$628.00 x 12, divided by 365 days.
5. The Tenant has paid \$6,450.00 since the application was filed.
6. The rent arrears owing to February 28, 2023 are \$-177.00.

7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. There is no last month's rent deposit.

**It is ordered that:**

The total amount of arrears outstanding is \$9.00.

1. If the Tenant does not pay the Landlord the full amount owing of **\$9.00** on or before April 7, 2023, the Tenant will start to owe interest. This will be simple interest calculated from April 8, 2023 at 5.00% annually on the balance outstanding.

**March 27, 2023**

**Date Issued**

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Anthony Bruno

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.