



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

Citation: Murray v Jamieson, 2023 ONLTB 25511

Date: 2023-03-15

File Number: LTB-L-030026-22

In the matter of: 1, 490 Southdale Rd E
London ON N6E1A4

Between: Wayne Murray Landlord

And

Colleen Jamieson Tenant

Wayne Murray (the 'Landlord') applied for an order to terminate the tenancy and evict Colleen Jamieson (the 'Tenant') because:

- the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on February 7, 2023.

Only the Landlord's Agent, Renee Murray, attended the hearing.

As of 10:50am, 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 was in possession of the rental unit on the date the application was filed.
2. The Tenant vacated the rental unit on August 1, 2022.
3. The Tenant was required to pay the Landlord \$5,350.29 in daily compensation for use and occupation of the rental unit for the period from May 1, 2022 to August 1, 2022.
4. Based on the Monthly rent, the daily compensation is \$57.53. This amount is calculated as follows: \$1,750.00 x 12, divided by 365 days.

5. There is no last month's rent deposit.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of August 1, 2022.

Order Page 1 of 2

File Number: LTB-L-030026-22

2. The Tenant shall pay to the Landlord \$5,350.29, less what the Tenant has paid to the Landlord, which represents compensation for the use of the unit from May 1, 2022 to August 1, 2023, less the rent deposit and interest the Landlord owes on the rent deposit.
3. If the Tenant does not pay the Landlord the full amount owing on or before April 2, 2023, the Tenant will start to owe interest. This will be simple interest calculated from April 3, 2023 at 5.00% annually on the balance outstanding.

March 15, 2023

Date Issued

Robert Brown

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.

In accordance with section 81 of the Act, the part of this order relating to the eviction of the Tenant expires on February 2, 2023 if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.

Order Page 2 of 2