



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

**Citation:** Bedford Properties & Estates Ltd. v Summers, 2023 ONLTB 23844

**Date:** 2023-03-08

**File Number:** LTB-L-032756-22

**In the matter of:** 0503, 385 GIBB ST  
OSHAWA ON L1J1Z4

**Between:** Bedford Properties & Estates Ltd. Landlord

**And**

Brianne Summers Tenant

Bedford Properties & Estates Ltd. (the 'Landlord') applied for an order to terminate the tenancy and evict Brianne Summers (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 31, 2023.

Only the Landlord's representative Debra Fine attended the hearing.

As of 9:30 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 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 Tenant has made payments since the application filed, and the arrears now owing are 164.71.
4. The only amount outstanding is the Landlord's cost of filing the application less \$21.29. As a result, the order will be limited to costs only and not eviction.

**It is ordered that:**

1. The Tenant shall pay to the Landlord \$164.71 which represents the amount outstanding towards the amount of the application filing fee.

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2. If the Tenant does not pay the Landlord the full amount owing on or before March 30, 2023, the Tenant will start to owe interest. This will be simple interest calculated from March 31, 2023 at 5.00% annually on the balance outstanding.

**March 8, 2023**

**Date Issued**

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Maria Shaw

, 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.

