



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

Citation: Homestead Land Holdings Limited v Kimbulu, 2023 ONLTB 22586

Date: 2023-02-23

File Number: LTB-L-038867-22

In the matter of: 412, 283 PHARMACY AVE
SCARBOROUGH ON M1L3G1

Between: Homestead Land Holdings Limited Landlord

And

Massamba Kimbulu Tenant

Homestead Land Holdings Limited (the 'Landlord') applied for an order requiring Massamba Kimbulu (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on February 15, 2023.

Only the Landlord represented by attended the hearing.

As of 9:36am, 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. As of the hearing date, the Tenant was still in possession of the rental unit.
2. The Tenant did not pay the total rent they were required to pay for the period from June 1, 2022 to July 31, 2022.
3. The lawful rent is \$1,217.48. It is due on the 1st day of each month.
4. The Tenant has paid \$9,799.40 to the Landlord after the application was filed.
5. The rent arrears owing to February 28, 2023 are \$0.00
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The Tenant shall pay the Landlord the amount of \$186.00 which is the cost the Landlord incurred to file the application.



2. If the Landlord does not pay the Tenant the full amount owing on or before March 31st, 2023, the Landlord will start to owe interest. This will be simple interest calculated from April 1st, 2023 at 5.00% annually on the balance outstanding.

February 23, 2023
Date Issued

Nicole Huneault
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.