



Order under Section 69 Residential Tenancies Act, 2006

Citation: 1 Deauville Lane Limited v Espa, 2023 ONLTB 20075

Date: 2023-02-16

File Number: LTB-L-027499-22

In the matter of:]315, 1 DEAUVILLE LANE
NORTH YORK ON M3C1Z6

Between: 1 Deauville Lane Limited Landlord

And

Donelle Soliven Tenants
Esther Joy Espa

1 Deauville Lane Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Donelle Soliven and Esther Joy Espa (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on January 17, 2023.

Only the Landlord's Legal Representative, David Ciobotaru, attended the hearing.

As of 10:02 a.m., the Tenants were 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 Tenants with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenants 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 Tenants were still in possession of the rental unit.
3. The lawful rent is \$1,430.53. It is due on the 1st day of each month.
4. After the application was filed, the Tenants paid all arrears owing for the period ending January 31, 2023.
5. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
6. The only amount outstanding is the Landlord's cost of filing the application. As a result, the order will be limited to costs only.

It is ordered that:

1. The Tenants shall pay to the Landlord \$186.00, which represents the cost of filing the application with the Board.
2. If the Tenants do not pay the Landlord the full amount owing by February 27, 2023, the Tenants will start to owe interest. This will be simple interest calculated from February 28, 2023 at 5.00% annually on the balance outstanding.

February 16, 2023

Date Issued

Susan Priest

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.