Order under Section 69
Residential Tenancies Act, 2006

Citation: WCPT GEORGIAN INC. DBA: FOUNDRY GEORGIAN v Campbell, 2023 ONLTB 19563
Date: 2023-02-14
File Number: LTB-L-034604-22

2023 ONLTB 19563 (CanLII)

In the matter of:	202 BEDROOM 5, 314 GEORGIAN DR BARRIE ON L4M7B7

Between:	WCPT GEORGIAN INC. DBA: FOUNDRY GEORGIAN	Landlord
	And	
	Rene Campbell	Tenant

WCPT GEORGIAN INC. DBA: FOUNDRY GEORGIAN (the 'Landlord') applied for an order to terminate the tenancy and evict Rene Campbell (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

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

Only the Landlord's Legal Representative Sara Murtadha attended the hearing.

As of 1:30 p.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. The Tenant was in possession of the rental unit on the date the application was filed.

3. The Tenant vacated the rental unit on August 27, 2022. Rent arrears are calculated up to the date the Tenant vacated the unit.

4. The lawful rent is $700.00.

5. The Tenant has not made any payments since the application was filed.

6. The rent arrears owing to August 27, 2022 are $1,671.27.

7. The Landlord incurred costs of $186.00 for filing the application and is entitled to reimbursement of those costs.

8. The Landlord collected a rent deposit of $700.00 from the Tenant and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy terminated.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of August 27, 2022, the date the Tenant moved out of the rental unit

2. The Tenant shall pay to the Landlord $1,157.27. This amount includes rent arrears owing up to the date the Tenant moved out of the rental unit and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit is deducted from the amount owing by the Tenant. See Schedule 1 for the calculation of the amount owing.

3. If the Tenant does not pay the Landlord the full amount owing on or before February 25, 2023, the Tenant will start to owe interest. This will be simple interest calculated from February 26, 2023 at 5.00% annually on the balance outstanding.

February 14, 2023
Date Issued

Anthony Bruno
Member, Landlord and Tenant Board

15 Grosvenor St, 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.

*Note: When the LTB directs payment-out, the Canadian Imperial Bank of Commerce will issue a cheque to the appropriate party named in this notice. The cheque will be in the amount directed plus any interest accrued up to the date of the notice.

2023 ONLTB 19563 (CanLII)

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenant must pay as the tenancy is terminated

Rent Owing To Move Out Date	$1,671.27
Application Filing Fee	$186.00
NSF Charges	$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- $0.00
Less the amount the Tenant paid into the LTB since the application was filed	- $0.00
Less the amount of the last month's rent deposit	- $700.00
Less the amount of the interest on the last month's rent deposit	- $0.00
Less the amount the Landlord owes the Tenant for an {abatement/rebate}	- $0.00
Less the amount of the credit that the Tenant is entitled to	- $0.00
Total amount owing to the Landlord	**$1,157.27**