



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

Citation: RUSSELL v RICE, 2023 ONLTB 20920

Date: 2023-02-13

File Number: LTB-L-043509-22

In the matter of: 7, 78 STANLEY STREET
LONDON ON N6C1B1

Between: DAVID RUSSELL Landlord

And

JENNIFER RICE and WILLIAM BARRET Tenant

DAVID RUSSELL (the 'Landlord') applied for an order requiring JENNIFER RICE and WILLIAM BARRET (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on September 12, 2022.

Only the Landlord attended the hearing.

As of 11:25am, 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 vacated the rental unit on March 19, 2022. The Tenant was in possession of the rental unit on the date the application was filed.
2. The Tenant did not pay the total rent they were required to pay for the period from October 1, 2019 to March 19, 2022.
3. The lawful rent is \$1,213.80. It is due on the 1st day of each month.
4. The Tenant has not made any payments since the application was filed.
5. The tenancy ended on March 19, 2022 as a result of the Tenant moving out in accordance with a notice of termination, LTB order or agreement to terminate the tenancy. Therefore, the Tenant's obligation to pay rent also ended on that date.
6. The rent arrears and daily compensation owing to March 19, 2022 are \$2,928.85
7. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.



It is ordered that:

1. The Tenant shall pay to the Landlord \$3,129.85 March 19, 2022. This amount includes rent arrears owing up to and the cost of the application.
2. If the Tenant does not pay the Landlord the full amount owing on or before February 24, 2023, the Tenant will start to owe interest. This will be simple interest calculated from February 25, 2023 at 5.00% annually on the balance outstanding.

February 14, 2023

Date Issued

Percy Laryea

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.