



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

Citation: Kingston & Frontenac Housing Corporation v Miller, 2023 ONLTB 19154

Date: 2023-02-09

File Number: LTB-L-032558-22

In the matter of: 146 DRENNAN ST
KINGSTON ON K7K 2S8

Between: Kingston & Frontenac Housing Corporation Landlord

And

Tiffany Miller Tenant

Kingston & Frontenac Housing Corporation (the 'Landlord') applied for an order requiring Tiffany Miller (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on January 30, 2023.

Only the Landlord's representative Kelly Vallier, licensed paralegal attended the hearing.

As of 3:23 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 Tenant vacated the rental unit on October 11, 2022. The Tenant was in possession of the rental unit on the date the application was filed.
2. The Landlord amended their application to an L9 application solely for arrears of rent and the filing fee. The Landlord was seeking the arrears outstanding to October 11, 2022.
3. The Tenant did not pay the total rent they were required to pay for the period from March 1, 2022 to October 11, 2022.
4. The lawful rent is \$1,289.00. It is due on the 1st day of each month.
5. The Tenant has not made any payments since the application was filed.
6. The tenancy ended on October 11, 2022 as a result of the Tenants 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.

7. The rent arrears and daily compensation owing to October 11, 2022 are \$7,238.96.
8. There is no rent being held on deposit by the Landlord.

Order Page: 1 of 2



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9. 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 to the Landlord \$7,424.96. This amount includes rent arrears owing up to October 11, 2022 and the cost of the application.
2. If the Tenant does not pay the Landlord the full amount owing on or before February 20, 2023, the Tenant will start to owe interest. This will be simple interest calculated from February 21, 2023 at 5.00% annually on the balance outstanding.

February 9, 2023

Date Issued

Greg Witt

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.