



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

**Citation:** 2858866 Ontario Limited v Tran, 2023 ONLTB 19753

**Date:** 2023-02-08

**File Number:** LTB-L-036007-22

**In the matter of:** 407, 1827 VICTORIA PARK AVE  
SCARBOROUGH ON M1R1T3

**Between:** 2858866 Ontario Limited Landlord

**And**

Mayara Mastes and Thuan van Tran Tenant

2858866 Ontario Limited (the 'Landlord') applied for an order requiring Mayara Mastes and Thuan van Tran (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on February 2, 2023.

Only the Landlord's Legal Representative Anita Sada attended the hearing.

As of 2:08 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 July 28, 2022. The Tenant was in possession of the rental unit on the date the application was filed.
2. Rent arrears are calculated up to the date the Tenant vacated the rental unit.
3. The lawful rent is \$1,366.20. 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 rent arrears and daily compensation owing to July 28, 2022 are \$3,990.16.
6. The Landlord collected a rent deposit of \$1,366.20 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 is terminated.
7. 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 \$2,809.96. This amount includes rent arrears owing up to July 28, 2022 and the cost of the application minus the rent deposit.
2. If the Tenant does not pay the Landlord the full amount owing on or before February 19, 2023, the Tenant will start to owe interest. This will be simple interest calculated from February 20, 2023 at 5.00% annually on the balance outstanding.

**February 8, 2023**

**Date Issued**

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Heather Chapple

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.