



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

**Citation:** Homestead Land Holdings Limited v Silva, 2023 ONLTB 19658

**Date:** 2023-02-08

**File Number:** LTB-L-032425-22

**In the matter of:** 302, 890 MOUNT PLEASANT RD  
TORONTO ON M4P2L4

**Between:** Homestead Land Holdings Limited Landlord

**And**

Michele Silva Tenants  
Wesley Araujo

Homestead Land Holdings Limited (the 'Landlord') applied for an order requiring Michele Silva and Wesley Araujo (the 'Tenants') to pay the rent that the Tenants owe.

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

Only the Landlord's representative Crystal Sankey, licensed paralegal attended the hearing.

As of 2:27 p.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. As of the hearing date, the Tenants were still in possession of the rental unit.
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 January 31, 2022
3. The Tenants did not pay the total rent they were required to pay for the period from May 1, 2022 to January 31, 2023.
4. The lawful rent is \$1,563.54. It is due on the 1<sup>st</sup> day of each month.
5. The Tenants have made \$13,497.62 in payments since the application was filed.
6. The rent arrears and daily compensation owing to January 31, 2023 inclusive of the \$186.00 filing fee, to which the Landlord is entitled to reimbursement of those costs, are \$123.78.

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**It is ordered that:**

1. The Tenants shall pay to the Landlord \$123.78. This amount includes rent arrears owing up to January 31, 2023 and the cost of the application.
2. If the Tenants do not pay the Landlord the full amount owing on or before April 8, 2023, 60 days from the date of this order, the Tenants will start to owe interest. This will be simple interest calculated from April 9, 2023 at 5.00% annually on the balance outstanding.

**February 8, 2023**  
**Date Issued**

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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.