



Order under Section 69 Residential Tenancies Act, 2006

Citation: Cervantes Lions Non-Profit Housing Corporation v Hillocks, 2023 ONLTB 19256

Date: 2023-02-08

File Number: LTB-L-032357-22

In the matter of: 405, 20 STRATHAVEN DR
MISSISSAUGA ON L5R3R9

Between: Cervantes Lions Non-Profit Housing Corporation Landlord

And

Kemsha Hillocks Tenant

Cervantes Lions Non-Profit Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Kemsha Hillocks (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

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

Only the Landlord's legal representative, Kenia Afolabi attended the hearing.

As of 2:22 p.m. the Tenant was not present or represented at the hearing.

Determinations:

1. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice).
2. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$470.00. It is due on the 1st day of each month.
4. The Tenant has paid \$2,294.00 to the Landlord since the application was filed.
5. The rent arrears owing to January 31, 2023 are \$1,860.00.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. The Tenant owes to the Landlord the total of \$2,046.00.

8. The Landlord did not seek to terminate the tenancy and reached an agreement with the Tenant with respect to the payment of the arrears of rent. This was evidenced by emails dated from January 24, 2023 to January 27, 2023 between the parties.
9. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would not be unfair to

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grant relief from eviction subject to the conditions set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act.

It is ordered that:

1. The Tenant shall pay to the Landlord \$2,046.00, for arrears of rent up to January 31, 2023 (\$1,860.00), and the application filing fee (\$186.00).
2. The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:

On or before March 17, 2023	\$ 2,046.00
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3. The Tenant shall also pay to the Landlord on or before February 1, 2023, the rent for February 2023, and specifically, the balance of \$270.00.
4. The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period March 1, 2023, or until the arrears are paid in full, whichever date is earliest.
5. If the Tenant fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after January 31, 2023.

February 8, 2023
Date Issued

 Debbie Mosaheb
 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.

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