



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

Citation: Galaxy Real Estate Core Ontario Properties LP v Pezan, 2023 ONLTB 19690

Date: 2023-02-07

File Number: LTB-L-032034-22

In the matter of: 0402, 2837 YONGE ST
TORONTO ON M4N0A7

Between: Galaxy Real Estate Core Ontario Properties LP Landlord

And

Giovana Guerrero and Pierina Pezan Tenant

Galaxy Real Estate Core Ontario Properties LP (the 'Landlord') applied for an order requiring Giovana Guerrero and Pierina Pezan (the 'Tenant') to pay the rent that the Tenant owes.

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

Only the Landlord represented by Sharon Harris, attended the hearing.

As of 9:40 am, 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 January 20, 2023. 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 May 1, 2022, to January 31, 2023.
3. The lawful rent is \$2,665.00. It is due on the 1st day of each month.
4. The Tenant has paid \$10,400.00 to the Landlord after the application was filed.
5. The tenancy ended on January 20, 2023 as a result of the Tenant moving out. Therefore, the Tenant's obligation to pay rent also ended on that date.
6. The rent arrears and daily compensation owing to January 20, 2023 are \$12,152.40
7. The Landlord collected a rent deposit of \$2,600 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.



8. Interest on the rent deposit, in the amount of \$0 is owing to the Tenant for the period from January 20, 2023.
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 \$12,152.00 This amount includes rent arrears owing up to January 20, 2023 and the cost of the application.
2. If the Tenant does not pay the Landlord the full amount owing on or before February 18, 2023, the Tenant will start to owe interest. This will be simple interest calculated from February 19, 2023 at 5.00% annually on the balance outstanding.

February 7, 2023
Date Issued

Nicole Huneault
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.