



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

Citation: CAPREIT LIMITED PARTNERSHIP v Campbell, 2023 ONLTB 19630

Date: 2023-02-06

File Number: LTB-L-032502-22

In the matter of: 906, 20 SHALLMAR BLVD
TORONTO ON M5N 1J5

Between: CAPREIT LIMITED PARTNERSHIP Landlord

And

Robert Campbell Tenant

CAPREIT LIMITED PARTNERSHIP (the 'Landlord') applied for an order requiring Robert Campbell (the 'Tenant') to pay the rent that the Tenant owes.

The Landlord also claimed charges related to NSF cheques.

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

Only the Landlord's representative Jason Paine, licensed paralegal attended the hearing.

As of 3:17 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 November 30, 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 and NSF charges. The Landlord was seeking the arrears outstanding to November 30, 2022.
3. The Tenant did not pay the total rent they were required to pay for the period from April 1, 2022 to November 30, 2022.
4. Prior to November 2022, the lawful rent was \$1,821.60, and for the month of November 2022, the lawful rent was \$1,720.00. Rent is due on the 1st day of each month.
5. The Tenant has made \$10,137.20 in payments since the application was filed.
6. The Landlord is entitled to \$20.00 to reimburse the Landlord for administration charges and \$5.00 for bank fees the Landlord incurred as a result of 1 cheque given by or on behalf of the Tenant which were returned NSF.



7. The tenancy ended on November 30, 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.
8. The rent arrears and daily compensation owing to November 30, 2022 are \$2,687.80.
9. There is no rent being held on deposit by the Landlord.
10. 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 \$2,898.80. This amount includes rent arrears owing up to November 30, 2022 and the cost of the application and unpaid NSF charges.
2. If the Tenant does not pay the Landlord the full amount owing on or before February 17, 2023, the Tenant will start to owe interest. This will be simple interest calculated from February 18, 2023 at 5.00% annually on the balance outstanding.

February 6, 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.