



**Order under Section 69
Residential Tenancies Act, 2006**

Citation: Onehome Property Management v Vangrootel, 2023 ONLTB 17944

Date: 2023-02-06

File Number: LTB-L-015932-22

In the matter of: 2, 8 COLUMBIA ST W
WATERLOO ON N2L3K3

Between: Onehome Property Management Landlord

And

Amanda Vangrootel Tenants Jack Vangrootel

Onehome Property Management (the 'Landlord') applied for an order to terminate the tenancy and evict Amanda Vangrootel and Jack Vangrootel (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

Onehome Property Management (the 'Landlord') also applied for an order to terminate the tenancy and evict Amanda Vangrootel and Jack Vangrootel (the 'Tenants') because the Tenants have been persistently late paying the rent.

This application was heard by videoconference on January 26, 2023.

Only the Landlord's Legal Representative Peggy Frost attended the hearing.

As of 9:48 a.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. Since the Tenants did not attend and the Landlord was prepared to proceed, the matter proceeded by way of an uncontested hearing pursuant to section 7 of the *Statutory Powers Procedure Act*, R.S.O. 1990.

Determinations:

1. At the hearing the Landlord's Legal Representative relied on oral submissions and referred to documents to support their application.

L1 Application

2. The Landlord served the Tenants with a valid Notice to End Tenancy Early for Nonpayment of Rent (N4 Notice). The Tenants did not void the notice by paying the amount of rent

arrears owing by the termination date in the N4 Notice or before the date the application was filed.

3. The Tenants were in possession of the rental unit on the date the application was filed.

File Number: LTB-L-015932-22

4. The Tenants vacated the rental unit on June 30, 2022. Rent arrears are calculated up to the date the Tenants vacated the unit.
5. The lawful rent was \$1,437.00. It was due on the 1st day of each month.
6. The Tenants have not made any payments since the application was filed.
7. The rent arrears owing to June 30, 2022 are \$9,842.00.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
9. The Landlord collected a rent deposit of \$1,420.00 from the Tenants and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy terminated.
10. Interest on the rent deposit, in the amount of \$8.45 is owing to the Tenants for the period from January 1, 2022 to June 30, 2022.

L2 Application

11. Since the Tenants had vacated the rental unit by the hearing date, the Landlord requested consent from the Board to withdraw their L2 application. Pursuant to section 200(4) of the *Residential Tenancies Act, 2006* (the Act), I granted the request.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated as of June 30, 2022, the date the Tenants moved out of the rental unit
2. The Tenants shall pay to the Landlord \$8,599.55. This amount includes rent arrears owing up to the date the Tenants moved out of the rental unit and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit is deducted from the amount owing by the Tenants. See Schedule 1 for the calculation of the amount owing.
3. If the Tenants do not pay the Landlord the full amount owing on or before February 17, 2023, the Tenants will start to owe interest. This will be simple interest calculated from February 18, 2023 at 5.00% annually on the balance outstanding.
4. The Landlord's L2 application is dismissed.

February 6, 2023

Date Issued

John Cashmore

Member, Landlord and Tenant Board

15 Grosvenor St, 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.

File Number: LTB-L-015932-22

**Schedule 1
SUMMARY OF CALCULATIONS**

A. Amount the Tenants must pay as the tenancy is terminated

Rent Owing To Move Out Date	\$9,842.00
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,420.00
Less the amount of the interest on the last month's rent deposit	- \$8.45
Total amount owing to the Landlord	\$8,599.55

2023 ONL TB 17944 (CanLII)