



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

**Citation:** Dhaliwal v Ball, 2023 ONLTB 18525

**Date:** 2023-02-02

**File Number:** LTB-L-028829-22

**In the matter of:** UPPER, 8156 HORNBY RD  
HORNBY ON L0P1E0

**Between:** Tarandeep Singh Dhaliwal Landlord

**And**

Suzanne T. Ball Tenant

Tarandeep Singh Dhaliwal (the 'Landlord') applied for an order to terminate the tenancy and evict Suzanne T. Ball (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 18, 2023.

Only the Landlord's Legal Representative, Shalini Puri, attended the hearing.

As of 9:54 a.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 Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant 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.
  2. The Tenant is in possession of the rental unit.
  3. A new owner took over effective November 12, 2022, however, the Landlord's Legal Representative advised that the Landlord is only seeking arrears to October 31, 2022.
  4. The lawful rent is \$1,600.00. It is due on the 1st day of each month.
  5. The Tenant has not made any payments since the application was filed.
1. The rent arrears owing to October 31, 2022 are \$9,600.00.
  2. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
  3. The Landlord collected a rent deposit of \$1,600.00 from the Tenant and this deposit has been transferred to the new Landlord, therefore, the rent deposit is not applied to the arrears of rent because the tenancy has not terminated.

**It is ordered that:**

1. The Tenant shall pay to the Landlord \$9,786.00. This amount includes rent arrears owing to October 31, 2022. See Schedule 1 for the calculation of the amount owing.
2. If the Tenant does not pay the Landlord the full amount owing on or before February 13, 2023, the Tenant will start to owe interest. This will be simple interest calculated from February 14, 2023 at 5.00% annually on the balance outstanding.

**February 2, 2023**

**Date Issued**

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Diane Wade

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.

**Schedule 1  
SUMMARY OF CALCULATIONS**

**A. Amount the Tenant must pay as the tenancy is terminated**

Rent Owing To October 31, 2022	\$9,600.00
Application Filing Fee	\$186.00
NSF Charges	\$0.00
<b>Less</b> the amount the Tenant paid to the Landlord since the application was filed	- \$0.00
<b>Less</b> the amount the Tenant paid into the LTB since the application was filed	- \$0.00
<b>Less</b> the amount of the last month's rent deposit	- \$0
<b>Less</b> the amount of the interest on the last month's rent deposit	- \$0
<b>Less</b> the amount the Landlord owes the Tenant for an {abatement/rebate}	- \$0.00
<b>Less</b> the amount of the credit that the Tenant is entitled to	- \$0.00
<b>Total amount owing to the Landlord</b>	<b>\$9,786.0</b>

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