



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

Citation: BARBOSA v MACKINNON, 2023 ONLTB 17258

Date: 2023-01-31

File Number: LTB-L-055283-22

In the matter of: 6, 320 KIWANIS PARK DRIVE LONDON
ONTARIO N5W4M9

Between: DARCEE BARBOSA Landlord

And

JORDAN MACKINNON Tenant

DARCEE BARBOSA (the 'Landlord') applied for an order to terminate the tenancy and evict JORDAN MACKINNON (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 19, 2023. The Landlord and the Tenant attended the hearing.

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. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$900.00.
4. Based on the Monthly rent, the daily rent/compensation is \$29.59. This amount is calculated as follows: \$900.00 x 12, divided by 365 days.
5. The Tenant has paid \$8,215.00 to the Landlord since the application was filed.
6. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.
7. There is no last month's rent deposit.

8. The only part of the application that proceeded was the claim for rent arrears. As a result, the order will be limited to rent arrears and costs only, not eviction.

It is ordered that:

1. The Tenant shall pay to the Landlord, \$96.80, which is the outstanding balance for the cost of filing the application.

File Number: LTB-L-055283-22

2. If the Tenant does not pay the Landlord the full amount owing on or before February 11, 2023, the Tenant will start to owe interest. This will be simple interest calculated February 12, 2023 at 5% annually on the balance outstanding.

January 31, 2023

Date Issued

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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.

**Schedule 1
SUMMARY OF CALCULATIONS**

A. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before January 31, 2023

Rent Owing To January 31, 2023	\$8,110.80
Application Filing Fee	\$201.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$8,215.00
Total the Tenant must pay to continue the tenancy	\$96.80