



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

Citation: pls v Dunphy, 2023 ONLTB 17604

Date: 2023-01-31

File Number: LTB-L-026673-22

In the matter of: 24, 1400 WINDING TRAIL
MISSISSAUGA ON L4X 1W9

Between: pls and Burnhamdale Investments Ltd Landlord

And

Thomas Mcconnell Dunphy Tenant

pls and Burnhamdale Investments Ltd (the 'Landlord') applied for an order requiring Thomas Mcconnell Dunphy (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on January 16, 2023.

Only the Landlord's representative Shalini Puri, licensed paralegal attended the hearing.

As of 10:00 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 Tenant vacated the rental unit on July 15, 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. The Landlord was seeking the arrears outstanding to July 15, 2022.
3. The Tenant did not pay the total rent they were required to pay for the period from March 1, 2022 to July 15, 2022.
4. The lawful rent is \$1,885.03. It is due on the 15th day of each month.
5. The Tenant has made \$3,750.00 in payments since the application was filed.
6. The tenancy ended on July 15, 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.
7. The rent arrears and daily compensation owing to July 15, 2022 are \$5,675.15.
8. There is no rent being held on deposit by the Landlord.



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 \$5,861.15. This amount includes rent arrears owing up to and the cost of the application.
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 from February 12, 2023 at 5.00% annually on the balance outstanding.

January 31, 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.