



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

Citation: Homestead Land Holdings Limited v Labad, 2023 ONLTB 16859

Date: 2023-01-27

File Number: LTB-L-026150-22

In the matter of: 817, 2700 SARATOGA PL
GLOUCESTER ON K1T1W4

Between: Homestead Land Holdings Limited Landlord

And

Aya Lihsin and Habibi Labad Tenant

Homestead Land Holdings Limited (the 'Landlord') applied for an order requiring Aya Lihsin and Habibi Labad (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on January 4, 2023 at 1:00 p.m.

Only the Landlord, represented by Megan O'Conner, an employee, attended the hearing.

As of 2:38 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 lawful rent is \$1,475.00. It is due on the 1st day of each month.
2. The Tenant has paid \$3,600.00 to the Landlord after the application was filed.
3. The tenancy ended on August 31, 2022 as a result of the Tenant 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.
4. The rent arrears and daily compensation owing to August 31, 2022 are \$3,775.00
5. The Landlord collected a rent deposit of \$1,475 from the Tenant and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy is terminated.
6. Interest on the rent deposit, in the amount of \$16 is owing to the Tenant for the period from August 31, 2022.
7. 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 \$3,775 January 31, 2023. This amount includes rent arrears owing up to August 31, 2022 and the cost of the application minus the {rent abatement or rebate/rent deposit and interest owing}.
2. If the Tenant does not pay the Landlord the full amount owing on or before February 7, 2023, the Tenant will start to owe interest. This will be simple interest calculated from February 8, 2023 at 5.00% annually on the balance outstanding.

January 27, 2023

Date Issued

Peter Pavlovic
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.