



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

Citation: Genik v Doiron, 2023 ONLTB 15702

Date: 2023-01-18

File Number: LTB-L-024046-22

In the matter of: 2, 310 VAN NORMAN ST
THUNDER BAY ON P7A4B9

Between: Heather L. Genik and Murray J.V. Genik Landlord

And

Allison Doiron and Jonathan Kinch-McCrae Tenant

Heather L. Genik and Murray J.V. Genik (the 'Landlord') applied for an order to terminate the tenancy and evict Allison Doiron and Jonathan Kinch-McCrae (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on January 4, 2023.

Only the Landlord, Heather L. Genik attended the hearing.

As of 11:30 a.m. the Tenants were not present or represented at the hearing.

Determinations:

1. The Landlord served the Tenants with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice).
2. The Tenants were in possession of the rental unit on the date the application was filed.
3. The Tenants vacated the rental unit on May 6, 2022. Rent arrears are calculated up to the date the Tenants vacated the unit.
4. The lawful rent is \$1,250.00. It was due on the 1st day of each month.
5. The Tenants have not made any payments since the application was filed.
6. The rent arrears owing to May 6, 2022 are \$5,398.60.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord collected a rent deposit of \$1,250.00 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.
9. Interest on the rent deposit, in the amount of \$5.18 is owing to the Tenants for the period from January 1, 2022 to May 6, 2022.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated as of May 6, 2022, the date the Tenants moved out of the rental unit
2. The Tenants shall pay to the Landlord \$4,329.42. 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 January 29, 2023, the Tenants will start to owe interest. This will be simple interest calculated from January 30, 2023 at 5.00% annually on the balance outstanding.

January 18, 2023

Date Issued

Debbie Mosaheb

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 Tenants must pay as the tenancy is terminated

Rent Owing To Move Out Date	\$5,398.60
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,250.00
Less the amount of the interest on the last month's rent deposit	- \$5.18
Total amount owing to the Landlord	\$4,329.42

2023 ONLTB 15702 (CanLII)