



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

**Citation:** Starlight Canadian Residential Growth Fund v Vinette, 2023 ONLTB 15243

**Date:** 2023-01-18

**File Number:** LTB-L-024136-22

**In the matter of:** 0807, 1975 ST. LAURENT BLVD  
OTTAWA ON K1G3S7

**Between:** Starlight Canadian Residential Growth Fund Landlord

**And**

Pauline Vinette Tenant

Starlight Canadian Residential Growth Fund (the 'Landlord') applied for an order requiring Pauline Vinette (the 'Tenant') to pay the rent that the Tenant owes.

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

Only the Landlord's legal representative, K. Anderson, attended the hearing.

As of 10:15 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 June 30, 2022. The Tenant was in possession of the rental unit on the date the application was filed.
2. The Tenant did not pay the total rent they were required to pay for the period from March 1, 2022 to June 30, 2022.
3. The lawful rent was \$862.39. It is due on the 1st day of each month.
4. The Tenant did not make any payments since the application was filed.
5. The tenancy ended on June 30, 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.
6. The rent arrears and daily compensation owing to June 30, 2022 are \$3,273.01
7. The Landlord collected a rent deposit of \$856.12 from the Tenant and this deposit is still being held by the Landlord. The rent deposit will be applied to the arrears of rent because the tenancy is terminated.

2023 ONLTB 15243 (CanLII)



8. Interest on the rent deposit, in the amount of \$5 is owing to the Tenant for the period to June 30, 2022.
9. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
10. Therefore, the total amount owing by the Tenant to the Landlord is therefore \$2,597.89.

**It is ordered that:**

1. The Tenant shall pay to the Landlord \$2,597.89. This amount includes rent arrears owing up to June 30, 2022 and the cost of the application minus the rent deposit and interest owing.
2. If the Tenant does not pay the Landlord the full amount owing on or before January 29, 2023, the Tenant 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**

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Nancy Morris  
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.