



Order under Section 69 Residential Tenancies Act, 2006

Citation: London & Middlesex Community Housing Inc. v Goss, 2023 ONLTB 15349

Date: 2023-01-17

File Number: LTB-L-024864-22

In the matter of: 915, 85 WALNUT ST
LONDON ON N6H4P3

Between: London & Middlesex Community Housing Inc. Landlord

And

Edward Goss Tenant

London & Middlesex Community Housing Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Edward Goss (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 5, 2023.

Only the Landlord's representative, P. Haynes, 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 \$115.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$3.78. This amount is calculated as follows: \$115.00 x 12, divided by 365 days.
5. The Tenant has paid \$6,464.00 to the Landlord since the application was filed.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. No rent arrears are presently owing and the Tenant has a credit position of \$2.53, with the Landlord's application filing fee still owing. Landlord does not seek termination of the tenancy but requests an order for the outstanding portion of the Landlord's application filing fee.

2023 ONLTB 15349 (CanLII)

It is ordered that:

- 1. The Tenant must pay the Landlord the \$183.47, representing the outstanding portion of the Landlord’s application filing fee, on or before January 28, 2023.
- 2. If the Tenant does not pay the Landlord the full amount owing on or before January 28, 2023, the Tenant will start to owe interest. This will be simple interest calculated from January 29, 2023 at 5.00% annually on the balance outstanding.

January 17, 2023
Date Issued

Lynn Mitchell
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

Rent Owing To January 31, 2023	\$6,461.47
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$6,464.00
Less the amount the Tenant paid into the LTB since the application was filed	- \$0.00
Less the amount the Landlord owes the Tenant for an{abatement/rebate}	- \$0.00
Less the amount of the credit that the Tenant is entitled to	- \$0.00
Total the Tenant must pay to continue the tenancy	\$183.47