



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

Citation: Camsta (No.1) Limited Partnership c/o DMS Property Management LTD. v Gao, 2023
ONLTB 15507

Date: 2023-01-16

File Number: LTB-L-031262-22

In the matter of: 502, 151 HUGHSON ST S HAMILTON
ON L8N3Y4

Between: Camsta (No.1) Limited Partnership c/o DMS Landlord
Property Management LTD.

And

Shuo Gao and Tianhui Sun

Tenants

Camsta (No.1) Limited Partnership c/o DMS Property Management LTD. (the 'Landlord') applied for an order to terminate the tenancy and evict Shuo Gao and Tianhui Sun (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

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

Only the Landlord's representative, J. Labbe, attended the hearing.

As of 2:07 pm, the Tenants were 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 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. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Landlord's representative indicated that, since the application was filed, the Tenant's have brought rent fully current and now have a credit balance for rent.
4. The Landlord has not yet applied any of that credit balance in payment of the Landlord's application filing fee and seeks an order solely for the payment of that fee.

5. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

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It is ordered that:

1. The Tenants shall pay the Landlord \$186.00 for the Landlord's application filing fee on or before January 27, 2023.
2. If the Tenant does not pay the Landlord the full amount owing on or before January 27, 2023, the Tenant will start to owe interest. This will be simple interest calculated from January 28, 2023 at 2.00% annually on the balance outstanding.

January 16, 2023
Date Issued

Lynn Mitchell
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.

