



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

Citation: Virk v Mercer, 2023 ONLTB 14841

Date: 2023-01-13

File Number: LTB-L-025970-22

In the matter of: 11772 17 SIDE RD
GEORGETOWN ON L7G4S6

Between: Amandeep Virk Landlord

And

Justin K-m Mercer and Szilvia Kun Tenant

Amandeep Virk (the 'Landlord') applied for an order requiring Justin K-m Mercer and Szilvia Kun (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on January 4, 2023 at 9:00 a.m.

Only the Landlord attended the hearing.

As of 9:56 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 July 31, 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 December 1, 2021 to July 31, 2023.
3. The lawful rent is \$1,900.00. It is due on the 1st day of each month.
4. The Tenant has not made any payments since the application was filed.
5. The tenancy ended on July 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.
6. The rent arrears and daily compensation owing to July 31, 2022 are \$13,300.00
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 \$13,486.00. This amount includes rent arrears owing up to July 31, 2022 and the cost of the application.
2. If the Tenant does not pay the Landlord the full amount owing on or before January 24, 2023, the Tenant will start to owe interest. This will be simple interest calculated from January 25, 2023 at 5.00% annually on the balance outstanding.

January 13, 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.