



Order under Section 78(6) Residential Tenancies Act, 2006

Citation: 869797 ONTARIO LIMITED v WOOD, 2023 ONLTB 14332

Date: 2023-01-11

File Number: LTB-L-052435-22

In the matter of: 4, 578 Colborne St
London ON N6B2T8

Between: SOULTANA ANASTASIADLIS Landlord

And

MARTY WOOD Tenant

SOULTANA ANASTASIADLIS (the 'Landlord') applied for an order to terminate the tenancy and evict MARTY WOOD (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on August 9, 2022 with respect to application LTB-L-004201-22.

This application was heard on January 4, 2023. Only the Landlord attended the hearing.

Determinations:

1. The order provides that the Landlord can apply to the LTB under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenant to terminate the tenancy and evict the Tenant if the Tenant does not meet certain condition(s) in the order. This application was filed within 30 days of the breach.
2. The Tenant failed to make payments as required in September 2022. The Tenant has made no payments since that time and vacated the rental unit in November 2022.

The previous application includes a request for an order for the payment of arrears of rent and the order requires the Tenant to make payments by specific due dates. Accordingly, in addition to eviction, the Landlord is entitled to request an order for the payment of arrears owing.

3. The Tenant was required to pay \$3,342.96 for rent arrears and the application filing fee in the previous order. The amount that is still owing from that order is \$3,788.24 and that amount is included in this order. This order replaces order LTB-L-004201-22.
4. The Landlord collected a rent deposit of \$445.28 from the Tenant and this deposit is still being held by the Landlord and has been deducted from the amount the Tenant owes the Landlord.

It is ordered that:

1. Order LTB-L-004201-22 is cancelled.
2. The tenancy between the Landlord and the Tenant is terminated as of November 1, 2022.
3. The Tenant shall pay to the Landlord \$3,788.24. This amount represents the rent owing up to November 1, 2022, less the rent deposit and interest the Landlord owes on the rent deposit.
4. If the Tenant does not pay the Landlord the full amount owing on or before January 22, 2023, the Tenant will start to owe interest. This will be a simple interest calculated from January 23, 2023 at 2.00% annually on the balance outstanding.

January 11, 2023

Date Issued

Greg Joy
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor,35
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

