



Order under Section 69 Residential Tenancies Act, 2006

Citation: Capreit Limited Partnership v Marriott, 2023 ONLTB 14150

Date: 2023-01-11

File Number: LTB-L-011849-22

In the matter of: 53, 296 SILVERSTONE DR
TORONTO ON M9V3J4

Between: Capreit Limited Partnership Landlord

And

Hyacinth Marriott Tenant

Capreit Limited Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Hyacinth Marriott (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on August 31, 2022.

The Landlord's representative Nidhi Sharma and the Tenant 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 \$1,792.78. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$58.94. This amount is calculated as follows: \$1,792.78 x 12, divided by 365 days.
5. The rent arrears owing to August 31, 2022 are \$0.00.
6. As payment in full was made, there is no reasonable cause of action to proceed on the Landlord's application for compensation and for arrears, and it is therefore dismissed.

It is ordered that:

1. The Landlord's application is dismissed

January 11, 2023
Date Issued

Percy Laryea
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.