



Order under Section 69 Residential Tenancies Act, 2006

Citation: BUTERA PROPERTY HOLDINGS INC. v Conde, 2023 ONLTB 14335

Date: 2023-01-06

File Number: LTB-L-023730-22

In the matter of: 208, 735 LASALLE BLVD
SUDBURY ON P3A3B3

Between: BUTERA PROPERTY HOLDINGS INC. Landlord

And

Haby Conde Tenant

BUTERA PROPERTY HOLDINGS INC. (the 'Landlord') applied for an order to terminate the tenancy and evict Haby Conde (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 4, 2023.

Only the Landlord's Agent Lauren Brace attended the hearing.

As of 10:40a.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 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 rent arrears owing to January 31, 2023 are \$0.00. However, the Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
4. As only the filing fee is outstanding the Landlord did not seek eviction and instead sought only that the filing fee be paid.

It is ordered that:

1. On or before January 31, 2023 the Tenant is to pay to the Landlord \$186.00.

2. If the Tenant does not pay the Landlord the full amount owing on or before January 31, 2023 the Tenant will start to owe interest. This will be simple interest calculated from February 1, 2023 at 5% annually on the balance outstanding.

January 6, 2023
Date Issued

Amanda Kovats
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.