



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

Citation: Macmillan v Jock, 2023 ONLTB 13906

Date: 2023-01-05

File Number: LTB-L-014552-22

In the matter of: 593 32094
London ON N6G2C5

Between: Tate Macmillan Landlord

And

Nyuon Jock Tenant

Tate Macmillan (the 'Landlord') applied for an order requiring Nyuon Jock (the 'Tenant') to pay the rent that the Tenant owes.

The Landlord also claimed charges related to NSF cheques.

This application was heard by videoconference on September 26, 2022.

The Landlord's representative Kevin Kok, Landlord's witness Tate Macmillan and the Tenant attended the hearing.

As of 2:52PM, 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 May 08, 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 January 1, 2022 to September 30, 2022.
3. The lawful rent is \$2,403.00. It is due on the 1st day of each month.
4. The Tenant has paid \$3,403.00 to the Landlord after the application was filed.
5. The tenancy ended on May 08, 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 May 8, 2022 are \$6,841.00



7. The Landlord is entitled to \$24.00 to reimburse the Landlord for administration charges and \$36.00 for bank fees the Landlord incurred as a result of 3 cheques given by or on behalf of the Tenant which were returned NSF.
8. 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 \$6,841.00 on January 16, 2023. This amount includes rent arrears owing up to May 8, 2022 and the cost of the application and unpaid NSF charges.
2. If the Tenant does not pay the Landlord the full amount owing on or before January 16, 2023, the Tenant will start to owe interest. This will be simple interest calculated from January 17, 2023 at 2.00% annually on the balance outstanding.

January 5, 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.

