



**Order under Section 69
Residential Tenancies Act, 2006**

Citation: Hazelview Property Services Inc. v Gomez, 2022 ONLTB 6226

Date: 2022-12-19

File Number: LTB-L-013563-22

In the matter of: 401, 27 VANIER DR
GUELPH ON N1G2L1

Between: Hazelview Property Services Inc. Landlord

And

Diego Gomez Tenant

Hazelview Property Services Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Diego Gomez (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on September 14, 2022.

Only the Landlord's representative Sean Beard attended the hearing.

As of 9:59am, 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 lawful rent is \$1,660.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$54.58. This amount is calculated as follows: \$1,660.00 x 12, divided by 365 days.
5. The Tenant has paid \$11,679.76 to the Landlord since the application was filed and the rent arrears owing to September 30, 2022 are \$0.00.
6. However, the Tenant still owes the \$186.00 the Landlord paid to file this L1 application, and the Landlord is entitled to reimbursement of those costs.

It is ordered that:

1. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
2. The Tenant shall pay to the Landlord the full amount owing by October 17, 2022.
3. If the Tenant does not pay the Landlord the full amount owing by December 30, 2022, the Tenant will owe interest. This will be simple interest calculated from December 31, 2022 at 2.00% annually on the balance outstanding.
4. The Landlord has the right, at any time, to collect the full amount owing or any balance outstanding under this order.

December 19, 2022
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.