



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

Citation: WEINBRENNER PLACE INC v CAREY, 2022 ONLTB 14116

Date: 2022-12-08

File Number: LTB-L-050688-22

In the matter of: 3, 196 CUSHMAN ROAD
ST. CATHARINES ON L2M7C7

Between: Weinbrenner Place Inc Landlord

And

David Carey Tenant

Weinbrenner Place Inc (the 'Landlord') applied for an order to terminate the tenancy and evict David Carey (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on October 26, 2022. The Landlord's agent, A. Buttera and the Tenant attended the hearing.

Determinations:

1. The Landlord filed an application because the Tenant did not pay the rent that the Tenant owes
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Tenant vacated the rental unit on May 15, 2022. Rent arrears are calculated up to the date the Tenant vacated the unit
4. The lawful rent is \$0.00. It was due on the 1st day of each month.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to May 15, 2022 are \$6,350.95.
7. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.
8. There is no last month's rent deposit.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of May 15, 2022, the date the Tenant moved out of the rental unit
2. The Tenant shall pay to the Landlord \$4,903.76. This amount includes rent arrears owing up to the date the Tenant moved out of the rental unit and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.

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3. If the Tenant does not pay the Landlord the full amount owing on or before December 19, 2022, the Tenant will start to owe interest. This will be simple interest calculated from December 20, 2022 at 4.00% annually on the balance outstanding.
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December 8, 2022

Date Issued

Curtis Begg

Member, Landlord and Tenant Board

15 Grosvenor St, 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.

*Note: When the LTB directs payment-out, the Canadian Imperial Bank of Commerce will issue a cheque to the appropriate party named in this notice. The cheque will be in the amount directed plus any interest accrued up to the date of the notice.

**Schedule 1
SUMMARY OF CALCULATIONS**

A. Amount the Tenant must pay as the tenancy is terminated

Rent Owing To Move Out Date	\$6,350.95
Application Filing Fee	\$201.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$0.00
Less the amount the Tenant paid into the LTB since the application was filed	- \$0.00
Less the amount of the last month's rent deposit	- \$1,648.19
Less the amount of the interest on the last month's rent deposit	- \$0.00
Less the amount the Landlord owes the Tenant for an {abatement/rebate}	- \$0.00
Less the amount of the credit that the Tenant is entitled to	- \$0.00
Total amount owing to the Landlord	\$4,903.76

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