



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

Citation: Butera Property Holdings Inc v Piche, 2022 ONLTB 14113

Date: 2022-12-08

File Number: LTB-L-050569-22

In the matter of: 008, 1717 Lansing Avenue
Sudbury Ontario P3A5C5

Between: Butera Property Holdings Inc Landlord

And

Joshua Robichaud, Tenants
Rae-Anne Piche

Butera Property Holdings Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Joshua Robichaud, Rae-Anne Piche (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on October 26, 2022. Only the Landlord's agent, L. Brace, and their legal representative, J. Ricci attended the hearing.

As of 10:42am, the Tenants were 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 Tenants were in possession of the rental unit on the date the application was filed.
2. The Tenants vacated the rental unit on May 31, 2022. Rent arrears are calculated up to the date the Tenants vacated the unit
3. The lawful rent is \$1,820.58. It was due on the 1st day of each month.
4. The Tenants have not made any payments since the application was filed.
5. The rent arrears owing to May 31, 2022 are \$3,638.90.
6. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.
7. There is no last month's rent deposit.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated as of May 31, 2022, the date the Tenants moved out of the rental unit

2. The Tenants shall pay to the Landlord \$3,839.90. This amount includes rent arrears owing up to the date the Tenants moved out of the rental unit and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.
3. If the Tenants do not pay the Landlord the full amount owing on or before December 19, 2022, the Tenants will start to owe interest. This will be simple interest calculated from December 20, 2022 at 4.00% annually on the balance outstanding.

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.

**Schedule 1
SUMMARY OF CALCULATIONS**

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

Rent Owing To Move Out Date	\$3,638.90
Application Filing Fee	\$201.00
NSF Charges	\$0.00
Less the amount the Tenants paid to the Landlord since the application was filed	- \$0.00
Less the amount the Tenants paid into the LTB since the application was filed	- \$0.00
Less the amount of the last month's rent deposit	- \$0.00
Less the amount of the interest on the last month's rent deposit	- \$0.00
Less the amount the Landlord owes the Tenants for an {abatement/rebate}	- \$0.00
Less the amount of the credit that the Tenants are entitled to	- \$0.00
Total amount owing to the Landlord	\$3,839.90

2022 ONLTB 14113 (CanLII)