



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

Citation: Steeves and Rozema Group v Mclaughlin, 2022 ONLTB 13898

Date: 2022-12-08

File Number: LTB-L-022679-22

In the matter of: L1, 230 N. Forsyth
Sarnia ON N7T6E2

Between: Skyline Living Landlord

And

Brian Mclaughlin Tenant

Skyline Living (the 'Landlord') applied for an order to terminate the tenancy and evict Brian Mclaughlin (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on November 8, 2022.

The former Landlord's Legal Representative G.K.Lang and the current Landlord's Agent RJ Edwards attended the hearing.

As of 1:52 p.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 application was filed by the former Landlord Steeves and Rozema Group on April 21, 2022. The former Landlord sold the residential complex to the new Landlord, Skyline Living, effective July 26, 2022.
2. Pursuant to s.18 of *the Residential Tenancies Act, 2006* ("Act"), covenants run with the land. Therefore, upon the sale of the residential complex the current Landlord assumed all of the former Landlord's rights and responsibilities under the Act, including the right to seek an order for rent arrears.
3. The application is therefore amended to make Skyline Living the applicant.
4. The Tenant was in possession of the rental unit on the date the application was filed.
5. The lawful rent is \$838.18. It was due on the 1st day of each month.
6. The Tenant has not made any payments since the application was filed.
7. The current Landlord's Agent states that the Landlord is seeking an order for rent arrears up to July 31, 2022, without termination of tenancy.

2022 ONLTB 13898 (CanLI)

8. The rent arrears owing to July 31, 2022 are \$6,692.26.
9. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
10. Since the tenancy is continuing last month's rent deposit and interest on the last month's rent deposit is not being considered for the purpose of calculating rent arrears.

It is ordered that:

1. The Tenant shall pay to the Landlord \$6,878.26. This amount includes rent arrears owing up to July 31, 2022 and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.
2. 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.

December 8, 2022
Date Issued

Sheena Brar
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 Tenant must pay

Rent Owing To July 31, 2022	\$6,692.26
Application Filing Fee	\$186.00
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	- \$0.00
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	\$6,878.26