



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

Citation: Skyline Living v Hutchings, 2022 ONLTB 13606

Date: 2022-12-07

File Number: LTB-L-021866-22

In the matter of: 27, 531 FRANKLIN BLVD
CAMBRIDGE ON N1R5Z2

Between: Skyline Living Landlord

And

Brandi Hutchings Tenant

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

This application was heard by videoconference on November 7, 2022.

The Landlord and the Tenant, and the Tenant's guarantor B. Stevenson attended the hearing

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. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Tenant vacated the rental unit on September 30, 2022. Rent arrears are calculated up to the date the Tenant vacated the unit
4. The lawful rent is \$1,289.78. It was due on the first day of each month.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to September 30, 2022 are \$4,125.53.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord collected a rent deposit of \$1,289.78 from the Tenant and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy terminated.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of September 30, 2022 , the date the Tenant moved out of the rental unit
2. The Tenant shall pay to the Landlord \$3,201.75. The Tenant owes the Landlord rent arrears owing up to the date the Tenant moved out of the rental unit and the cost of filing the application.
3. If the Tenants do not pay the Landlord the full amount owing on or before December 21, 2022, the Tenants will start to owe interest. This will be simple interest calculated from December 22, 2022 at 4.00% annually on the balance outstanding.

December 7, 2022

Date Issued

William Greenberg
Member, Landlord and Tenant Board

Alicia Johnson
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.

