



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

Citation: Cheema v Feagan, 2022 ONLTB 13889

Date: 2022-12-06

File Number: LTB-L-015773-22

In the matter of: 1480 Campbell Ave
Windsor ON N9B2K4

Between: Gurdev Cheema Landlord

And

Carl Feagan, Rachelle Brouillette Tenants

Gurdev Cheema (the 'Landlord') applied for an order to terminate the tenancy and evict Carl Feagan and Rachelle Brouillette (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on September 28, 2022. Only the Landlord's legal representative T. Vanner attended the hearing. As of 9:45 am, 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 Landlord served the Tenants with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenants 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 Tenants were in possession of the rental unit on the date the application was filed.
3. The Tenants vacated the rental unit on May 31, 2022. Rent arrears are calculated up to the date the Tenants vacated the unit
4. The lawful rent is \$1,900.00. It was due on the 1st day of each month.
5. The Tenants have not made any payments since the application was filed.
6. The rent arrears owing to May 31, 2022 are \$5,700.00.
7. The Landlord incurred costs of \$186.00 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 Tenants is terminated as of May 31, 2022, the date the Tenants moved out of the rental unit

2022 ONLTB 13889 (CanLII)

2. The Tenants shall pay to the Landlord \$5,886.00. 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 17, 2022, the Tenants will start to owe interest. This will be simple interest calculated from December 18, 2022 at 4.00% annually on the balance outstanding.

December 6, 2022

Date Issued

Donna Adams
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	\$5,700.00
Application Filing Fee	\$186.00
Total amount owing to the Landlord	\$5,886.00