



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

Citation: Lakeview Realty Inc. v Black, 2022 ONLTB 13508

Date: 2022-11-30

File Number: LTB-L-021217-22

In the matter of: ROOM 6, 100 ALBERT ST S
ORILLIA ON L3V5L2

Between: Lakeview Realty Inc. Landlord

And

Roger Black Tenant

Lakeview Realty Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Roger Black (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on October 27, 2022.

Only the Landlord, Micheal Preston attended the hearing.

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. After the hearing, the Landlord filed a repayment plan.
2. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), including that the Landlord is amenable to the repayment plan that provides the Tenant additional time to pay the arrears, and I find that it would not be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.
3. I have considered all of the evidence presented at the hearing and all of the oral testimony and although I may not have referred to each piece of evidence individually or referenced all of the testimony, I have considered it when making my determinations.
4. This order contains all reasons for the determinations and order made. No further reasons will be issued.

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It is ordered that:

1. The Tenant shall pay to the Landlord \$2,815.31, which represents the arrears of rent and costs outstanding for the period ending November 30, 2022, upon the following terms:
2. The Tenant shall pay to the Landlord the amount set out in paragraph 1 of this order in accordance with the following schedule:
 - 16 monthly payments in the amount of \$175.79 due on or before the 1st of each starting December, 2022 up to March 2024.
 - \$2.67 payment made on or before April 1st, 2024.
3. Commencing December 2022 and continuing for the duration of the outstanding arrears, the Tenant shall also pay to the Landlord new rent in full on or before first business day of each month.
4. If the Tenant fails to make any of the payments in accordance with paragraph 1 of this order, then:
 - (a) The Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant, and for the payment of any new arrears of rent and NSF charges not already ordered under paragraph 1 of this order. The Landlord must make the application within 30 days of a breach of a condition set out in paragraph 1 of this order.
 - (b) The balance owing under paragraph 1 of this order shall become payable on the day following the date of default. The monies owing shall bear interest at the post-judgment interest rate determined under subsection 207(7) of the Act.

November 30, 2022
Date Issued

Nicole Huneault
Member, Landlord and Tenant Board

15 Grosvenor Street, 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.