



**Order under Subsection 87(1)
Residential Tenancies Act, 2006**

Citation: Capreit Limited Partnership v Roberts, 2022 ONLTB 13244

Date: 2022-11-25

File Number: LTB-L-001256-22

In the matter of: 904, 88 ISABELLA ST
TORONTO ON M4Y1N5

Between: Capreit Limited Partnership Landlord

And

Nicolai Emmanuel Roberts Tenant

Capreit Limited Partnership (the 'Landlord') applied for an order requiring Nicolai Emmanuel Roberts (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on July 19, 2022.

Only the Landlord's Legal Representative, N.Sharma attended the hearing.

As of 1:30 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 Landlord's Representative submits that the Landlord, Capreit Limited Partnership sold the building as of May 1, 2022, and are requesting an order for arrears only up to April 30, 2022.
2. The Landlord is requesting compensation arising from the pre-sale period.
3. The Tenant was in possession of the unit as of the time of filing this application.
4. The Tenant did not pay the total rent they were required to pay for the period from to December 1, 2021 to April 30, 2022.
5. The lawful rent is \$1,465.00. It is due on the 1st day of each month.
6. The Tenant has paid \$2,064.00 to the Landlord after the application was filed.
7. The rent arrears owing to April 30, 2022 are \$5,236.00.
8. The Landlord incurred costs in the amount of \$25.00 arising from a returned cheque and is entitled to those costs.
9. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The Tenant shall pay to the Landlord \$5,447.00. This represents the arrears owing up to April 30, 2022, NSF fees and the filing fee.
2. If the Tenant does not pay the Landlord the full amount owing on or before December 6, 2022, the Tenant will start to owe interest. This will be simple interest calculated from December 7, 2022 at 4.00% annually on the balance outstanding.

November 25, 2022
Date Issued

Emily Robb
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.