



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

Citation: 913255 Ontario Inc. O/A York West Developments v Guy, 2022 ONLTB 10624

Date: 2022-11-17

File Number: LTB-L-021019-22

In the matter of: BSMT, 111 KNOX AVE
TORONTO ON M4L2P1

Between: 913255 Ontario Inc. O/A York West Developments Landlord

And

Lionel Guy Tenant

913255 Ontario Inc. O/A YorkWest Developments (the 'Landlord') applied for an order requiring Lionel Guy (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on October 26, 2022.

Only the Landlord's Agent Janet Bortolussi 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. Since the Tenant did not attend and the Landlord was prepared to proceed, the matter proceeded by way of an uncontested hearing pursuant to section 7 of the *Statutory Powers Procedure Act*, R.S.O. 1990.

Determinations:

1. At the hearing the Landlord's Agent relied on oral submissions and referred to documents to support their application.
2. Based on the uncontested evidence of the Landlord's Agent, I find the Tenant vacated the rental unit on April 30, 2022. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Tenant did not pay the total rent they were required to pay for the period from January 15, 2022 to April 30, 2022.
4. The lawful rent was \$1,195.00. It was due on the 15th day of each month.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears and daily compensation owing to April 30, 2022 is \$3408.64.

7. The Landlord collected a rent deposit of \$1,195 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 is terminated.
8. Interest on the rent deposit, in the amount of \$11.75 is owing to the Tenant for the period from January 16, 2021 until April 30, 2022.
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 tenancy is terminated effective April 30, 2022.
2. The Tenant shall pay to the Landlord \$2,387.89*. This amount includes rent arrears owing up to April 30, 2022 and the cost of the application minus the rent deposit and interest owing.
3. If the Tenant does not pay the Landlord the full amount owing on or before November 28, 2022, the Tenant will start to owe interest. This will be simple interest calculated from November 29, 2022 at 4.00% annually on the balance outstanding.

November 17, 2022

Date Issued

John Cashmore

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.

* Please see attached Schedule A.

**Schedule 1
SUMMARY OF CALCULATIONS**

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A. Amount the Tenant must pay:

Reasons for amount owing	Period	Amount
Arrears and daily compensation:	January 15, 2022 until April 30, 2022	\$3,408.64
Less the rent deposit:		-\$1,195.00
Less interest owing by Landlord:		-\$11.75
Amount owing to the Landlord on the order date: (total of previous boxes)		\$2,201.89
Additional costs the Tenant must pay to the Landlord:		\$186.00
Total the Tenant must pay the Landlord:		\$2,387.89