



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

Citation: Briannesteinburg v Trudel, 2022 ONLTB 11717

Date: 2022-11-15

File Number: LTB-L-014994-22

In the matter of: 4993 MAPLE ST
NIAGARA FALLS ON L2E2M8

Between: Brianne Aline Briannesteinburg Landlord

And

Suzanne Trudel Tenant

Brianne Aline Briannesteinburg (the 'Landlord') applied for an order requiring Suzanne Trudel (the 'Tenant') to pay the rent that the Tenant owes.

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

Only the Landlord's representative Judith Calender, licensed paralegal attended the hearing.

As of 10:18 a.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 Tenant vacated the rental unit on September 3, 2022. The Tenant was in possession of the rental unit on the date the application was filed.
2. The Landlord amended their application to an L9 application solely for arrears of rent and the filing fee. The Landlord was seeking the arrears outstanding to September 3, 2022
3. The Tenant did not pay the total rent they were required to pay for the period from February 1, 2022 to September 3, 2022.
4. The lawful rent is \$2,000.00. It is due on the 1st day of each month.
5. The Tenant has not made any payments since the application was filed.
6. The tenancy ended on September 3, 2022 as a result of the Tenant moving out in accordance with a notice of termination, LTB order or agreement to terminate the tenancy. Therefore, the Tenant's obligation to pay rent also ended on that date.
7. The rent arrears and daily compensation owing to September 3, 2022 are \$11,386.00.
8. The Landlord collected a rent deposit of \$2,000.00 from the Tenant and this deposit is still being held by the Landlord.

9. Interest on the rent deposit owing is \$46.66.
10. 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 \$9,525.34 This amount includes rent arrears owing up to and the cost of the application.
2. If the Tenant does not pay the Landlord the full amount owing on or before November 26, 2022, the Tenant will start to owe interest. This will be simple interest calculated from November 27, 2022 at 4.00% annually on the balance outstanding.

November 15, 2022

Date Issued

Greg Witt

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.