



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

Citation: Parry Sound District Housing Corporation v Kennedy, 2022 ONLTB 11581

Date: 2022-11-15

File Number: LTB-L-016884-22

In the matter of: 15B Broadway Avenue
South River ON P0A1X0

Between: Parry Sound District Housing Corporation Landlord

And

Robert Kennedy Tenant

Parry Sound District Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Robert Kennedy (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on September 29, 2022.

Only the Landlord's agent, Melissa Ervine, attended the hearing.

Determinations:

1. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant 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 Tenant was in possession of the rental unit on the date the application was filed.
3. The Tenant vacated the rental unit on September 22, 2022. Rent arrears are calculated up to the date the Tenant vacated the unit
4. The lawful rent is \$577.00. It was due on the 1st day of each month.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to September 22, 2022 are \$12,583.13.
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 Tenant is terminated as of September 22, 2022, the date the Tenant moved out of the rental unit. This is the day the Landlord entered the unit and found the unit had been vacated. As the tenants vacated, termination is not before me and the only issue for determination is the amount of outstanding arrears to be paid to the Landlord.
2. The Tenant shall pay to the Landlord \$12,769.13. This amount includes rent arrears owing up to the date the Tenant 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 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 Brocanier
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 Tenant must pay as the tenancy is terminated

Rent Owing To Move Out Date	\$12,583.13
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$0.00
Less the amount the Tenant paid into the LTB since the application was filed	- \$0.00
Less the amount of the last month's rent deposit	- \$0.00
Less the amount of the interest on the last month's rent deposit	- \$0.00
Less the amount the Landlord owes the Tenant for an {abatement/rebate}	- \$0.00
Less the amount of the credit that the Tenant is entitled to	- \$0.00
Total amount owing to the Landlord	\$12,769.13