



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

Citation: Khidhr v Green, 2022 ONLTB 11958

Date: 2022-11-14

File Number: LTB-L-045182-22

In the matter of: 6253 Hawkins Street
Niagara Falls Ontario L2G3B4

Between: Maissaa Khidhr Landlord

And

Gerald Green Tenant

Maissaa Khidhr (the 'Landlord') applied for an order requiring Gerald Green (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on October 24, 2022.

Only the Landlord attended the hearing.

As of 1:37p.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 May 31, 2022. The Tenant was in possession of the rental unit on the date the application was filed.
2. The Tenant did not pay the total rent they were required to pay for the period from November 1, 2021 to May 31, 2022, 2022.
3. The lawful rent is \$2,000.00. It is due on the 1st day of each month.
4. The Tenant has not made any payments since the application was filed.
5. The tenancy ended on May 31, 2022 as a result of the Tenant moving out in accordance with a request from the Landlord for the Tenant to leave on that date because the Tenant was not paying their rent. The Tenant complied with that request. Therefore, the Tenant's obligation to pay rent also ended on that date.
6. The rent arrears May 31, 2022 are \$14,000.00.
7. The Landlord collected a rent deposit of \$2,000 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 \$9.93 is owing to the Tenant for the period from July 1, 2021 to May 31, 2022.
9. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The Tenant shall pay to the Landlord \$12,191.07. This amount includes rent arrears owing up to May 31, 2022 and the cost of the application minus the deposit and interest owing on that deposit.
2. If the Tenant does not pay the Landlord the full amount owing on or before November 25, 2022, the Tenant will start to owe interest. This will be simple interest calculated from November 26, 2022 at 4.00% annually on the balance outstanding.

November 14, 2022

Date Issued

Amanda Kovats
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.