



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

Citation: Q RES V OPERATING LP INC v OTENG, 2022 ONLTB 11537

Date: 2022-11-09

File Number: LTB-L-047555-22

In the matter of: R14, 2777 KIPLING AVENUE
TORONTO ON M9V4M2

Between: Q RES V OPERATING LP INC Landlord

And

JAMES OTENG Tenant

Q RES V OPERATING LP INC (the 'Landlord') applied for an order requiring JAMES OTENG (the 'Tenant') to pay the rent that the Tenant owes.

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

Only the Landlord's Representative Bryan Rubin attended the hearing.

As of 2:00p.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 April 30, 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 December 1, 2021 to April 30, 2022.
3. The lawful rent is \$1,586.55. 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 Tenant vacated the rental unit on April 30, 2022. The Landlord's representative was not sure what the circumstances surrounding the Tenant vacating the rental unit were, however, he stated that an N4 Notice of Termination had not been served. The Landlord's representative stated that the Landlord was only seeking rent arrears to the date the Tenant vacated. I will therefore only award arrears of rent to the date that the Tenant vacated the rental unit and will not undertake an analysis under section 88 of the *Residential Tenancies Act* to determine if the Tenant was responsible for rent past the date they vacated.
6. The rent arrears owing to April 30, 2022 are \$5,931.68

7. There was no last month's rent deposit.
8. 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 \$6,132.68. This amount includes rent arrears owing up to April 30, 2022 and the cost of the application.
2. If the Tenant does not pay the Landlord the full amount owing on or before November 20, 2022, the Tenant will start to owe interest. This will be simple interest calculated from November 21, 2022 at 4.00% annually on the balance outstanding.

November 9, 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.