



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

Citation: Kingston & Frontenac Housing Corporation v Blair, 2022 ONLTB 10589

Date: 2022-11-07

File Number: LTB-L-020782-22

In the matter of: 407, 300 CONACHER DR
KINGSTON ON K7K5T6

Between: Kingston & Frontenac Housing Corporation Landlord

And

Nicole Blair Tenant

Kingston & Frontenac Housing Corporation (the 'Landlord') applied for an order requiring Nicole Blair (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 Patricia Price attended the hearing.

As of 11:02 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. 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. As of the hearing date, the Tenant was still in possession of the rental unit.
2. Since the filing of the application, the Tenant has paid all the arrears owing under the tenancy agreement up to October 31, 2022. Therefore, the Landlord's application for eviction is denied.
3. The Landlord incurred costs of \$186.00 for filing the application and is seeking reimbursement of those costs. Rule 23.1 of the Rules of Procedure permit the Board to award the cost of filing an application against the respondent. Although the Landlord's application was denied, it was required to obtain prompt payment of rent and arrears from the Tenant. For this reason, I am awarding the balance of costs with respect to the filing fee of \$186.00.

It is ordered that:

1. The Tenant shall pay to the Landlord \$186.00. This amount represents the cost of filing the application.

2. If the Tenant does not pay the Landlord the full amount owing on or before November 18, 2022, the Tenant will start to owe interest. This will be simple interest calculated from November 19, 2022 at 4.00% annually on the balance outstanding.

November 7, 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.