



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

Citation: Smith v Scott, 2022 ONLTB 10586

Date: 2022-11-04

File Number: LTB-L-020780-22

In the matter of: 1st Floor, 23 SHERBOURNE STREET
NORTH
Bancroft ON K0L1C0

Between: Sasha-Gaye Smith Landlord

And

Doug Scott Tenants
Melanie Scott

Sasha-Gaye Smith (the 'Landlord') applied for an order requiring Doug Scott and Melanie Scott (the 'Tenants') to pay the rent that the Tenants owe.

This application was heard by videoconference on October 26, 2022.

Only the Landlord Sasha-Gaye Smith attended the hearing.

As of 10:39 a.m., the Tenants were 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 Tenants 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. At the hearing the Landlord relied on oral submissions and referred to documents to support their application.
2. Based on the uncontested evidence of the Landlord, I find the Tenants vacated the rental unit on August 8, 2022. The Tenants were in possession of the rental unit on the date the application was filed.
3. The Tenants did not pay the total rent they were required to pay for the period from March 1, 2022 to August 8, 2022.
4. The lawful rent was \$1,122.00. It was due on the 1st day of each month.
5. The Tenants have not made any payments since the application was filed.
6. The rent arrears and daily compensation owing to August 8, 2022 are \$5,905.12

7. 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 tenancy is terminated effective August 8, 2022.
2. The Tenants shall pay to the Landlord \$6,091.12*. This amount includes rent arrears owing up to August 8, 2022 and the cost of the application.
3. If the Tenants do not pay the Landlord the full amount owing on or before November 15, 2022, the Tenants will start to owe interest. This will be simple interest calculated from November 16, 2022 at 4.00% annually on the balance outstanding.

November 4, 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.

* Please see attached Schedule A.

**Schedule 1
SUMMARY OF CALCULATIONS**

File Number: LTB-L-020780-22

2022 ONLTB 10586 (CanLI)

A. Amount the Tenants must pay:

Reasons for amount owing	Period	Amount
Arrears and daily compensation	March 1, 2022 until August 8, 2022	\$5,905.12

Amount owing to the Landlord on the order date: ^(total of previous boxes)	\$5,905.12
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Additional costs the Tenants must pay to the Landlord:	\$186.00
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Total the Tenants must pay the Landlord:	\$6,091.12
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