



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

**Citation:** Wallace Property Management Inc. v Heron, ONLTB 0

**Date:** November 3, 2022  
**File Number:** LTB-L-018769-22

**In the matter of:** 205, 790 WALLACE ST  
WALLACEBURG ON N8A1M6

**Between:** Wallace Property Management Inc. Landlord

**And**

John Heron Tenant

Wallace Property Management Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict John Heron (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on October 13, 2022.

Only the Landlord's legal agent, attended the hearing.

As of 3:53 p.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 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 May 31, 2022 at which time the Tenant returned the keys to the unit. Rent arrears are calculated up to the date the Tenant vacated the unit.
4. The lawful rent is \$631.73. It was due on the day of each month.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to May 31, 2022 are \$1,658.16.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

8. The Landlord collected a deposit for the last month of the rent in the amount of \$630.73.

**It is ordered that:**

1. The tenancy between the Landlord and the Tenant is terminated as of May 31, 2022, the date the Tenant moved out of the rental unit
2. The Tenant shall pay \$1,213.43 to the Landlord. This amount includes the net rent arrears owing up to the date the Tenant moved out of the rental unit (\$1,658.16) and the cost of filing the application (\$186.00) minus the last month's rent deposit (\$630.73).
3. If the Tenant does not pay the Landlord the full amount owing on or before November 14, 2022, the Tenant will start to owe interest. This will be simple interest calculated from November 15, 2022 at 2.00% annually on the balance outstanding.

**November 3, 2022**  
**Date Issued**

\_\_\_\_\_  
Sean Henry  
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.