



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

**Citation:** Woodhaven Properties v Sears, 2022 ONLTB 10171

**Date:** 2022-11-02

**File Number:** LTB-L-017245-22

**In the matter of:** 5, 14 SHADOWOOD RD  
BARRIE ON L4N7K4

**Between:** Woodhaven Properties Landlord

**And**

Jodie Sears Tenant

Woodhaven Properties (the 'Landlord') applied for an order requiring Jodie Sears (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 Sam Hornung attended the hearing.

As of 11:45 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. At the hearing the Landlord's Representative relied on oral submissions and referred to documents to support their application.
2. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The Tenant did not pay the total rent they were required to pay for the period from March 1, 2022 to October 31, 2022.
4. The lawful rent is \$1,043.00. It is due on the 1st day of each month.
5. The Tenant has made payments totalling \$7,252.00 since the application was filed.
6. The rent arrears owing to October 31, 2022 are \$326.00.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord requested payment of the arrears by December 31, 2022.

**It is ordered that:**

1. The Tenant shall pay to the Landlord \$512.00. This amount includes rent arrears owing up to October 31, 2022 and the cost of the application.
2. If the Tenant does not pay the Landlord the full amount owing on or before December 31, 2022, the Tenant will start to owe interest. This will be simple interest calculated from January 1, 2023 at 4.00% annually on the balance outstanding.

**November 2, 2022**

**Date Issued**

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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.