



Order under Section 69 Residential Tenancies Act, 2006

Citation: Villeneuve v Poisson, 2022 ONLTB 10532

Date: 2022-11-01

File Number: LTB-L-015873-22

In the matter of: A, 6 Brock
Kapusksing ON P5N2J8

Between: Melanie Villeneuve, Ronald Conrad Villeneuve Landlord

And

Diane Poisson Tenant

Melanie Villeneuve, Ronald Conrad Villeneuve (the 'Landlord') applied for an order to terminate the tenancy and evict Diane Poisson (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on September 28, 2022.

Only the Landlord attended the hearing.

As of 9:55am, 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. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$875.00. It is due on the 1 day of each month.
4. The Landlord advised that the Tenant had paid all arrears owing as of June 8, 2022, with the exception of the application filing fee. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
5. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would not be unfair to grant relief from eviction pursuant to subsection 83(1)(a) of the Act.

It is ordered that:

1. The Tenant will pay the filing fee to the Landlord in the amount of \$186 on or before November 12, 2022.
2. If the Tenant does not pay the Landlord the full amount owing on or before November 12, 2022, the Tenant will start to owe interest. This will be simple interest calculated from November 13, 2022 at 4.00% annually on the balance outstanding.

November 1, 2022

Date Issued

Peter Nicholson

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.