



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

**Citation:** 2491364 ONTARIO INC. v Fray, 2022 ONLTB 10892

**Date:** 2022-10-31

**File Number:** LTB-L-013392-22

**In the matter of:** 705, 1442 LAWRENCE AVE W.  
NORTH YORK ON M6L 1B5

**Between:** 2491364 ONTARIO INC. Landlord

**And**

Iyana Rose Tenants  
Paul Fray

2491364 ONTARIO INC. (the 'Landlord') applied for an order requiring Iyana Rose and Paul Fray (the 'Tenants') to pay the rent that the Tenants owe.

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

Only the Landlord's representative Nidhi Sharma, licensed paralegal attended the hearing.

As of 2:06 p.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. As a result, the hearing proceeded with only the Landlord's evidence.

**Determinations:**

1. The Tenants vacated the rental unit on July 18, 2022. The Tenants were in possession of the rental unit on the date the application was filed.
2. The Landlord amended their application to an L9 application solely for arrears of rent and the filing fee. The Landlord was seeking the arrears outstanding to July 18, 2022.
3. The Tenants did not pay the total rent they were required to pay for the period from March 1, 2021 to July 18, 2022.
4. The lawful rent is \$1,720.40. It is due on the 1<sup>st</sup> day of each month.
5. The Tenants have not made any payments since the application was filed.
6. The tenancy ended on July 18, 2022 as a result of the Tenants moving out in accordance with a notice of termination, LTB order or agreement to terminate the tenancy. Therefore, the Tenant's obligation to pay rent also ended on that date.
7. The rent arrears and daily compensation owing to July 18, 2022 are \$21,388.63.
8. The Landlord collected a rent deposit of \$1,700.00 from the Tenants and this deposit is still being held by the Landlord.

9. Interest on the rent deposit owing is \$25.50 for interest owing from October 1, 2021 to July 18, 2022.
10. 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 Tenants shall pay to the Landlord \$19,849.13. This amount includes rent arrears owing up to and the cost of the application.
2. If the Tenant does not pay the Landlord the full amount owing on or before November 11, 2022, the Tenant will start to owe interest. This will be simple interest calculated from November 12, 2022 at 4.00% annually on the balance outstanding.

**October 31, 2022**  
**Date Issued**

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Greg Witt  
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.