



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

**Citation:** Amelin Property Management v Musil, 2022 ONLTB 10891

**Date:** 2022-10-31

**File Number:** LTB-L-045132-22

**In the matter of:** 1611, 100 Ferguson Avenue South  
Hamilton Ontario L8N3Y1

**Between:** Amelin Property Management Landlord

**And**

Jaroslav Musil Tenant

Amelin Property Management (the 'Landlord') applied for an order requiring Jaroslav Musil (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on October 24, 2022.

The Landlord did not attend the hearing but was represented by Michael Holzberg.

As of 9:47 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. As a result, the hearing proceeded with only the Landlord's evidence.

**Determinations:**

1. The Tenant vacated the rental unit on March 31, 2022. The Tenant was in possession of the rental unit on the date the application was filed.
2. The Tenant did not pay the total rent they were required to pay for the period from February 1, 2022 to February 28, 2022.
3. The lawful rent is \$1442.66. It is due on the 1st day of each month.
4. The Tenant had not made any payments since the application was filed.
5. The tenancy ended on March 31, 2022 as a result of the Tenant 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.
6. The rent arrears and daily compensation owing to March 31, 2022 are \$1,433.36
7. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.

**It is ordered that:**

1. The Tenant shall pay to the Landlord \$1,634.36. This amount includes rent arrears owing up to March 1, 2022 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**

\_\_\_\_\_  
Emile Ramlochan

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.