



Order under Section 69 Residential Tenancies Act, 2006

Citation: 373867 Ontario Limited v Toribio, 2022 ONLTB 10043

Date: 2022-10-31

File Number: LTB-L-004451-22

In the matter of: 308, 165 COLBORNE AVE
RICHMOND HILL ON L4C2K2

Between: 373867 Ontario Limited Landlord

And

Priscilla Toribio Tenant

373867 Ontario Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Priscilla Toribio (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on October 11, 2022.

Only the Landlord's Legal Representative, Jamuna Ganesan, attended the hearing.

As of 9:45 a.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB.

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 \$1,312.15. It is due on the 1st day of each month.
4. The Tenant has paid \$13,121.50 to the Landlord since the application was filed.
5. The rent arrears owing to October 31, 2022 are \$0.00.
6. 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 Tenant shall pay to the Landlord \$186.00 on or before November 30, 2022.

2. If the Tenant does not pay the Landlord the full amount owing on or before November 30, 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

Kathleen Wells
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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before October 31, 2022

Rent Owing To October 31, 2022	\$13,121.50
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$13,121.50
Less the amount the Tenant paid into the LTB since the application was filed	- \$0.00
Less the amount the Landlord owes the Tenant for an{abatement/rebate}	- \$0.00
Less the amount of the credit that the Tenant is entitled to	- \$
Total the Tenant must pay to continue the tenancy	\$186.00

B. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before November 11, 2022

Rent Owing To November 30, 2022	\$14,433.65
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$13,121.50
Less the amount the Tenant paid into the LTB since the application was filed	- \$0.00
Less the amount the Landlord owes the Tenant for an{abatement/rebate}	- \$0.00
Less the amount of the credit that the Tenant is entitled to	- \$0.00
Total the Tenant must pay to continue the tenancy	\$1,498.15

C. Amount the Tenant must pay if the tenancy is terminated

Rent Owing To Hearing Date	\$12,283.89
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$13,121.50
Less the amount the Tenant paid into the LTB since the application was filed	- \$0.00
Less the amount of the last month's rent deposit	- \$1,274.00
Less the amount of the interest on the last month's rent deposit	- \$90.90
Less the amount the Landlord owes the Tenant for an {abatement/rebate}	- \$0.00

Less the amount of the credit that the Tenant is entitled to	- \$
Total amount owing to the Landlord	\$(2,016.51)
Plus daily compensation owing for each day of occupation starting October 12, 2022	\$43.14 (per day)