



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

Citation: Galaxy Value Add Ontario Properties LP v Ware, 2022 ONLTB 9630

Date: 2022-10-25

File Number: LTB-L-018213-22

In the matter of: 202, 6 BRYBECK CRES
KITCHENER ON N2M2C6

Between: Galaxy Value Add Ontario Properties LP Landlord

And

Brittany Ware Tenant

Galaxy Value Add Ontario Properties LP (the 'Landlord') applied for an order requiring Brittany Ware (the 'Tenant') to pay the rent that the Tenant owes.

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

Only the Landlord's Legal Representative, Ms. Emily Van Eerd, attended the hearing.

As of 1:30 P.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 March 31, 2022.
3. The lawful rent is \$1,638.00. It is due on the 1st day of each month.
4. The Tenant has not made any payments since the application was filed.
5. The rent arrears and daily compensation owing to March 31, 2022 are \$1,938.00
6. The Landlord collected a rent deposit of \$1,638.00 from the Tenant and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy is terminated.
7. Interest on the rent deposit, in the amount of \$23.55 is owing to the Tenant for the period from May 7, 2021 to the hearing date.
8. 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 \$462.45. This amount includes rent arrears owing up to March 31, 2022 and the cost of the application minus the rent deposit and interest owing.
2. If the Tenant does not pay the Landlord the full amount owing on or before November 5, 2022, the Tenant will start to owe interest. This will be simple interest calculated from November 6, 2022 at 4.00% annually on the balance outstanding.

October 25, 2022

Date Issued

Steven Mastoras

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.