



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

Citation: STARLIGHT CANADIAN RESIDENTIAL GROWTH FUND v Bignell, 2022 ONLTB 9993

Date: 2022-10-24

File Number: LTB-L-012531-22

In the matter of: C202, 135 ATHERLEY RD
ORILLIA ON L3V1N4

Between: STARLIGHT CANADIAN RESIDENTIAL GROWTH FUND Landlord

And

Darryl Bignell Tenant

STARLIGHT CANADIAN RESIDENTIAL GROWTH FUND (the 'Landlord') applied for an order requiring Darryl Bignell (the 'Tenant') to pay the rent that the Tenant owes.

The Landlord also claimed charges related to NSF cheques.

This application was heard by videoconference on September 12, 2022.

Only the Landlord's representative Sofia Enriquez attended the hearing.

As of 9:20am, 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. As of the hearing date, the Tenant was still in possession of the rental unit.
2. The Tenant did not pay the total rent they were required to pay for the period from May 1, 2021 to June 30, 2022.
3. The lawful rent is \$1,005.32. It is due on the 1st day of each month.
4. The Tenant has paid \$4,134.00 to the Landlord after the application was filed.
5. The rent arrears owing to June 30, 2022 are \$1,776.89
6. The Landlord is entitled to \$50.00 to reimburse the Landlord for administration charges and \$ for bank fees the Landlord incurred as a result of 2 cheques given by or on behalf of the Tenant which were returned NSF.
7. 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 \$2012.89. This amount includes rent arrears owing up to September 30, 2022 and the cost of the application and unpaid NSF charges.
2. If the Tenant does not pay the Landlord the full amount owing on or before November 4, 2022, the Tenant will start to owe interest. This will be simple interest calculated from November 5, 2022 at 2.00% annually on the balance outstanding.

October 24, 2022

Date Issued

Percy Laryea

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.