



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

Citation: Galaxy Value Add Ontario Properties LP v Massel, 2022 ONLTB 8900

Date: 2022-10-20

File Number: LTB-L-018139-22

In the matter of: 109, 550 WESTMOUNT RD W
KITCHENER ON N2M5G5

Between: Galaxy Value Add Ontario Properties LP Landlord

And

Rod Collicott Tenants
Stephen Massel

Galaxy Value Add Ontario Properties LP (the 'Landlord') applied for an order requiring Rod Collicott and Stephen Massel (the 'Tenants') to pay the rent that the Tenants owe.

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

Only the Landlord's Legal Representative Laura Groshok attended the hearing.

As of 1:30 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. Since the Tenants did not attend and the Landlord was prepared to proceed, the matter proceeded by way of an uncontested hearing pursuant to section 7 of the *Statutory Powers Procedure Act*, R.S.O. 1990.

Determinations:

1. At the hearing the Landlord's Legal Representative relied on oral submissions and referred to documents to support their application.
2. Based on the uncontested evidence of the Landlord's Legal Representative I find the Tenants vacated the rental unit on June 30, 2022. The Tenants were in possession of the rental unit on the date the application was filed.
3. The Tenants did not pay the total rent they were required to pay for the period from March 1, 2022 to June 30, 2022.
4. The lawful rent was \$1,518.16. It was due on the 1st day of each month.
5. The Tenants have paid \$2,465.20 to the Landlord after the application was filed.
6. The rent arrears and daily compensation owing to June 30, 2022 are \$1,401.78.

7. The Landlord collected a rent deposit of \$1,144 from the Tenants 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.
8. Interest on the rent deposit, in the amount of \$6.81 is owing to the Tenants for the period from January 1, 2021 until June 30, 2022.
9. 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 tenancy is terminated effective June 30, 2022.
2. The Tenants shall pay to the Landlord \$436.54*. This amount includes rent arrears owing up to June 30, 2022 and the cost of the application minus the rent deposit and interest owing.
3. If the Tenants do not pay the Landlord the full amount owing on or before October 31, 2022, the Tenants will start to owe interest. This will be simple interest calculated from November 1, 2022 at 4.00% annually on the balance outstanding.

October 20, 2022
Date Issued

John Cashmore
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.

* Please see attached Schedule A.

**Schedule 1
SUMMARY OF CALCULATIONS**

File Number: LTB-L-018139-22

A. Amount the Tenants must pay:

Reasons for amount owing	Period	Amount
Arrears:	March 1, 2022 until June 30, 2022	\$1,401.78

Less the rent deposit:		-\$1144.43
Less interest owing by Landlord:		-\$6.81

Amount owing to the Landlord on the order date: (total of previous boxes)	\$250.54
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Additional costs the Tenants must pay to the Landlord:	\$186.00
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Total the Tenants must pay the Landlord:	\$436.54
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