



Order under Section 69 Residential Tenancies Act, 2006

Citation: Kombe v Sandre, 2024 ONLTB 48111

Date: 2024-07-03

File Number: LTB-L-013376-24

In the matter of: Unit A, 60 LINCOLN RD
STONEY CREEK ON L8E1Z3

Between: Andrea Kombe
Yannick Kombe

I hereby certify this is a
true copy of an Order dated

Landlords

JUL 03, 2024

And

Chelsea Sandre

Landlord and Tenant Board

Tenant

Andrea Kombe and Yannick Kombe (the 'Landlords') applied for an order to terminate the tenancy and evict Chelsea Sandre (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on June 13, 2024.

Only the Landlord, Andrea Kombe attended the hearing.

As of 10:36am, 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.

Arrears Only Application

1. The Landlord requested to amend the application for an order solely requiring the Tenants to pay the rent that the Tenants owe, pursuant to section 87 (1) of the Act.
2. I am satisfied that the Landlord understood that they would not be able to seek the Tenants' eviction for arrears related to the present application and granted the amendment request.

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 \$1,947.50. It is due on the 1st day of each month.

4. Based on the Monthly rent, the daily rent/compensation is \$64.03. This amount is calculated as follows: $\$1,947.50 \times 12$, divided by 365 days.
5. The Tenant has paid \$3,895.00 to the Landlord since the application was filed.
6. The rent arrears owing to June 30, 2024 are \$7,790.00.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord collected a rent deposit of \$1,900.00 from the Tenant and this deposit is still being held by the Landlord.

It is ordered that:

1. The Tenant shall pay to the Landlord \$7,976.00. This amount includes rent owing up to June 30, 2024 and the cost of the application.
2. If the Tenant does not pay the Landlord the full amount owing on or before July 14, 2024, the Tenant will start to owe interest. This will be simple interest calculated from July 15, 2024 at 7.00% annually on the balance outstanding.

July 3, 2024
Date Issued

Nathalia Debski

Nathalia Debski
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.