



Order under the Residential Tenancies Act, 2006

Citation: Thomas v Wright, 2024 ONLTB 1476

Date: 2024-01-03

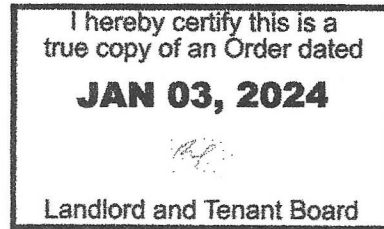
File Number: LTB-L-051135-23

In the matter of: 110 PEACH TREE BLVD
ST THOMAS ON N5R0C1

Between: Bonnie Thomas

And

Ashley Wright



Landlord

Tenant

Bonnie Thomas (the 'Landlord') applied for an order to terminate the tenancy and evict Ashley Wright (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on December 19, 2023.

Only the Landlord attended the hearing. 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 Landlord served the Tenant with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice) on June 2, 2023.
2. At the hearing I found that the N4 Notice is defective because it does not clearly identify the period of time the rent arrears arose. The rental period is identified on page 2 as March 1, 2023 through to May 1, 2023. The N4 Notice included rent arrears to May 31, 2023, but the month of May was not included in the notice.
3. The Landlord elected to proceed with an arrears only application.
4. As of the hearing date, the Tenant was still in possession of the rental unit.
5. The Tenant did not pay the total rent they were required to pay for the period from March 1, 2023 to December 31, 2023.
6. The lawful rent is \$1,940.00. It is due on the 1st day of each month.
7. The Tenant has paid \$13,650.00 to the Landlord after the application was filed.
8. The rent arrears owing to December 31, 2023 are \$2,130.00.
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 Tenant shall pay to the Landlord \$2,316.00. This amount includes rent arrears owing up to December 31, 2023 and the cost of the application.
2. At the request of the Landlord, if the Tenant does not pay the Landlord the full amount owing on or before January 31, 2024, the Tenant will start to owe interest. This will be simple interest calculated from February 1, 2024 at 7.00% annually on the balance outstanding.

January 3, 2024
Date Issued

Brett Lockwood
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.