



Oct 05, 2023

James W. Campbell

Landlord and Tenant Board

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

Citation: ADJ REAL ESTATE INC v DWINELL, 2023 ONLTB 67118

Date: 2023-10-05

File Number: LTB-L-041761-23

In the matter of: 2nd Floor, 3304 Danforth Avenue
Scarborough Ontario M1L1C4

Between: ADJ REAL ESTATE INC and HOWARD CLASKY Landlord

And

THUAN DWINELL Tenant

ADJ REAL ESTATE INC and HOWARD CLASKY (the 'Landlord') applied for an order requiring THUAN DWINELL (the 'Tenant') to pay the rent that the Tenant owes.

This application was heard by videoconference on August 30, 2023.

Only the Landlord's Representative Carol Shelton, attended the hearing.

As of **3:18 pm**, 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 did not pay the total rent they were required to pay for the period from March 15, 2023 to August 25, 2023.
2. The lawful rent is \$1,500.00. It is due on the 1st day of each month.
3. The Tenant has not made any payments since the application was filed.
4. The tenancy ended on **August 25, 2023** as a result of the Tenant moving out in accordance with a notice of termination, LTB order or agreement to terminate the tenancy. Therefore, the Tenant's obligation to pay rent also ended on that date.
5. The rent arrears and daily compensation owing to August 25, 2023 are \$7,950.00
6. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The Tenant shall pay to the Landlord \$8,151.00. This amount includes rent arrears owing up to August 25, 2023 and the cost of the application.



2. If the Tenant does not pay the Landlord the full amount owing on or before October 16, 2023, the Tenant will start to owe interest. This will be simple interest calculated from October 17, 2023 at 7.00% annually on the balance outstanding.

October 5, 2023

Date Issued

James W. Campbell

James Campbell
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.