



Order under Section 87 Residential Tenancies Act, 2006

File Number: LTB-L-055508-23

In the matter of: 717, 60 TANNERY RD
TORONTO ON M5A0S8

Between: Jadi Wang

And

Oscar Nnanna

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

OCT 17, 2024

Landlord and Tenant Board

Landlord

Former Tenant

Jadi Wang (the 'Landlord') applied for an order requiring Oscar Nnanna (the 'Former Tenant') to pay the rent and daily compensation that the Former Tenant owes.

This application was heard by videoconference on July 25, 2024.

Only the Landlord's Legal Representative, Anome Mehrabian, attended the hearing.

As of 10:04 a.m., the Former Tenant was not present or represented at the hearing although properly served with notice of this hearing by the Landlord. 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 explained below, the Landlord proved the allegations contained in the application on a balance of probabilities. Therefore, the Former Tenant must pay to the Landlord the sum of \$7,086.00 on or before October 28, 2024.
2. I am satisfied that the Landlord served the Former Tenant with the application and Notice of Hearing using a method permitted in subsection 191(1.0.1) of the *Residential Tenancies Act, 2006* (the 'Act') and Rule 3.3 of the LTB's Rules of Procedure.
3. These documents were served on June 19, 2024 by e-mail to the Former Tenant. The Landlord's Legal Representative said that the Former Tenant phoned the Landlord's Legal Representative on June 22, 2024 asking about the application and why he should attend the hearing given he had already vacated the rental unit. On that basis I am satisfied that the contents of that e-mail containing the application and Notice of Hearing actually came to the attention of the Former Tenant in compliance with Rule 3.3(c)(ii) or, even if served by email without consent of the Tenant, s.191(2) of the Act.
4. The Former Tenant vacated the rental unit on June 30, 2023.

5. The application was filed within one year after the Former Tenant ceased to be in possession of the rental unit.
8. The Former Tenant has not made any payments since the application was filed.
9. The tenancy ended on June 30, 2023 as a result of the Former Tenant moving out in accordance with a notice of termination. Therefore, the Former Tenant's obligation to pay rent ended on that date.
10. Based on the uncontested evidence of the Landlord, the Former Tenant did not make any payments of rent for March, 2023 or any subsequent month before or after the application was filed, and the rent arrears owing to June 30, 2023 are \$6,900.00.
11. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
14. The Landlord collected a rent deposit of \$2,000.00 from the Former Tenant, but this rent deposit and the interest owing thereon was applied by the Landlord as the full payment of rent for June, 2023, as the amount of rent owing for June, 2023 exceeded the amount of the rent deposit and interest owing thereon.

It is ordered that:

1. The Former Tenant shall pay to the Landlord \$6,900.00, which represents rent owing up to June 30, 2023 after application of the rent deposit and interest owing thereon.
2. The Former Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
3. The total amount the Former Tenant owes the Landlord is \$7,086.00*. See Schedule 1 for the calculation of the amount owing.
4. If the Former Tenant does not pay the Landlord the full amount owing on or before October 28, 2024, the Former Tenant will start to owe interest. This will be simple interest calculated from October 29, 2024 at 6.00% annually on the balance outstanding.

October 17, 2024
Date Issued

Benjamin Seigel
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.

* Refer to the attached Summary of Calculations.

Schedule 1
SUMMARY OF CALCULATIONS

Amount the Former Tenant must pay the Landlord:

Rent and Compensation Owing To	\$6,900.00
Application Filing Fee	\$186.00
Total amount owing to the Landlord	\$7,086.00