



Order under Section 87 Residential Tenancies Act, 2006

Citation: Baywatt Investments v Tellier, 2026 ONLTB 34507

Date: 2026-04-29

File Number: LTB-L-100456-25

In the matter of: 4, 10 GREEN BAY RD
NOELVILLE ON P0M2N0

Between: Baywatt Investments Landlord

And

Nicholas Tellier Former Tenants
Shyanne Westaway

Baywatt Investments (the 'Landlord') applied for an order requiring Nicholas Tellier and Shyanne Westaway (the 'Former Tenants') to pay the rent and daily compensation that the Former Tenant owe.

This application was heard by videoconference on April 27, 2026.

Only the Landlord's Legal Representative, Christine Stewart attended the hearing.

As of 9:42 a.m., the Former Tenants were 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 Tenants shall pay the Landlord \$1,557.42 on or before May 10, 2026.**
2. I am satisfied that the Landlord served the Former Tenants with the application and Notice of Hearing at least 30 days before the hearing in accordance with Rule 3.3 of the LTB's Rules of Procedure and s191(2) of the Act.
3. These documents were served on March 11, 2026 (Notice of Hearing) (L10 application) by sending the documents by email to the Former Tenants.
4. The Former Tenants vacated the rental unit on October 31, 2025.

5. The application was filed within one year after the Former Tenants ceased to be in possession of the rental unit. On November 28, 2025, the Landlord filed an L10 application to recover compensation rent and compensation owing. That application was filed under section 87, which provides, in part:

Application for arrears of rent

87 (1) A landlord may apply to the Board for an order requiring a tenant or former tenant to pay arrears of rent if,

- (a) the tenant or former tenant did not pay rent lawfully required under the tenancy agreement; and
- (b) in the case of a tenant or former tenant no longer in possession of the rental unit, the tenant or former tenant ceased to be in possession on or after the day subsection 18 (1) of Schedule 4 to the *Protecting Tenants and Strengthening Community Housing Act, 2020* comes into force.

Application under subs. (1)

- (1.1) An application under subsection (1) may be made,
 - (b) no later than one year after the tenant or former tenant ceased to be in possession of the rental unit.

6. The lawful rent was \$1,950.00. It was due on the 1st day of each month.
7. The Former Tenants have made payments to the Landlord since the application was filed in the amount of \$3,500.00.
8. The tenancy ended on as a result of the Former Tenants moving out in accordance with a notice of termination, LTB order or agreement to terminate the tenancy. Therefore, the Former Tenants obligation to pay rent ended on October 31, 2025.
9. The rent arrears and daily compensation owing to October 31, 2025, are \$6,850.00
10. The Landlord is seeking:
 - (a) \$6,850.00 for arrears of rent from July 1, 2025 to October 31, 2025.
11. The Landlord is also claiming the \$186.00 filing fee for this application and is entitled to the same.
12. I am satisfied that the Landlord is entitled to claim compensation from the Former Tenant under section, 87 of the Act. The Landlord's Legal Representative further submitted evidence of total rent owing.
13. The Landlord collected a rent deposit of \$1,950.00 from the Former Tenants and this deposit is still being held by the Landlord. The amount of the rent deposit and interest on the rent deposit is applied to the amount the Tenant is required to pay.

14. Interest on the rent deposit, in the amount of \$28.58 is owing to the Former Tenants for the period from April 1, 2025, to October 31, 2025.

It is ordered that:

1. The Former Tenants shall pay to the Landlord \$3,350.00, which represents rent and compensation owing up to October 31, 2025, less payments made by the Former Tenants.
2. The Former Tenants shall pay to the Landlord \$186.00 for the cost of filing the application.
3. The Landlord owes \$1,978.58 which is the amount of the rent deposit and interest on the rent deposit, and this is deducted from the amount owing by the Former Tenants.
4. The total amount the Former Tenants owe the Landlord is \$1,557.42*. See Schedule 1 for the calculation of the amount owing.
5. If the Former Tenants do not pay the Landlord the full amount owing on or before May 10, 2026, the Former Tenant will start to owe interest. This will be simple interest calculated from May 11, 2026 at 4.00% annually on the balance outstanding.

April 29, 2026
Date Issued

Panagiotis P. Roupas
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 October 31, 2025	\$6,850.00
Payments made after application filed.	\$3,500.00
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,950.00
Less the amount of the interest on the last month's rent deposit	- \$28.58
Total amount owing to the Landlord	\$1,557.42