



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-027070-26

In the matter of: 866 2ND AVE W
OWEN SOUND ON N4K4M5

Between: GREY BRUCE PROPERTY RENTALS INC. Landlord

And

MAXIM CLAYTON Tenant

GREY BRUCE PROPERTY RENTALS INC. (the 'Landlord') applied for an order to terminate the tenancy and evict MAXIM CLAYTON (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The Landlord also claimed charges related to NSF cheques.

This application was heard by videoconference on June 3, 2026.

Only the Landlord's Agent Andy Timmerman attended the hearing.

As of 9:37am, 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 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. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Tenant vacated the rental unit on April 30, 2026. Rent arrears are calculated up to the date the Tenant vacated the unit
4. The Tenant did not pay the total rent they were required to pay for the period from September 1, 2025 to April 30, 2026.

5. The lawful rent is \$1,151.18. It is due on the 1st day of each month.
6. The L1 application filed by the Landlord indicated a lawful monthly rent of \$1,176.18. However, at the hearing the Landlord's Agent explained that the lawful monthly rent was \$1151.18. The Landlord's Agent provided a ledger for our review to confirm the lawful monthly rent. Therefore, the Application is amended to reflect the correct lawful monthly rent.
7. The Tenant has not made any payments since the application was filed.
8. The rent arrears and daily compensation owing to April 30, 2026, are \$3978.96
9. The Landlord collected a rent deposit of \$1,100.00 from the Tenant and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy is terminated.
10. Interest on the rent deposit, in the amount of \$63.42 is owing to the Tenant for the period from December 19, 2023 to April 30, 2026.
11. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
12. The Landlord claimed charges of \$30 for cheques tendered by or on behalf of the Tenants, which were returned NSF and \$70 for related administration charges
13. The bank charges were not substantiated and so these fees were not allowed.
14. In addition, the Landlord's Legal Representative advised the NSF charges claimed by the Landlord related to Electronic Funds Transfer rather than NSF cheques. Sub-section 87(5) of the *Residential Tenancies Act, 2006* (the 'Act'), and section 17 of O.Reg 516/06 do not provide a remedy for administration charges for Electronic Funds Transfers that fail due to non-sufficient funds. Therefore, the NFS fees sought by the Landlord shall not be awarded.

It is ordered that:

1. The Tenant shall pay to the Landlord is \$3001.54. This amount includes rent arrears owing up to April 30, 2026 and the cost of the application minus the rent deposit and interest owing.
2. If the Tenant does not pay the Landlord the full amount owing on or before June 23, 2026, the Tenant will start to owe interest. This will be simple interest calculated from June 24, 2026 at 4.00% annually on the balance outstanding.

June 12, 2026
Date Issued

Suchana Sundararajan
Member, Landlord and Tenant Board

Reid Jackson

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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenant must pay as the tenancy is terminated

Rent Owing To Move Out Date	\$3978.96
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,100.00
Less the amount of the interest on the last month's rent deposit	- \$63.42
Total amount owing to the Landlord	\$3001.54