



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

File Number: LTB-L-026691-26

In the matter of: 251 INFUSION PVT
NEPEAN ON K2J5X2

Between: Phoenix Properties Inc. Landlord

And

Laurissa Hall Tenants
Matthew Jenkins

Phoenix Properties Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Laurissa Hall and Matthew Jenkins (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on June 2, 2026.

Only the Landlord's Agent, Florence Hughes, attended the hearing.

As of 10:26 a.m., the Tenants were 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 Tenants with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenants 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 Tenants were in possession of the rental unit on the date the application was filed.
3. The lawful rent is \$2,058.52. It was due on the 1st day of each month.
4. The Tenants have paid \$2,017.00 to the Landlord since the application was filed.

End of tenancy

5. The Landlord was seeking arrears to May 31, 2026.
6. For the reasons set out below, we find that the tenancy ended on May 30, 2026, when the Tenants vacated the rental unit in accordance with the N4 notice.
7. The Landlord's agent provided that some time after issuing an N4 notice of termination to the Tenants, the Tenants provided their own notice to vacate indicating a termination date of May 31, 2026. The Landlord's Agent explained that the Tenants returned the keys and provided vacant possession of the rental unit on May 30, 2026.
8. The LTB's Interpretation Guideline 11: Rent Arrears provides where a Tenant moves out of the rental unit after the L1 Application was filed, but before the hearing date, the LTB normally determines the tenancy ended on the date the Tenant moved out and requires the Tenant to pay rent arrears ending on the date the tenancy ended.
9. Further, section 134(1.1) of the Act provides:

134 (1.1) No Landlord shall, directly or indirectly, with respect to any rental unit, collect or require or attempt to collect or require from a former Tenant of the rental unit any amount of money purporting to be rent in respect of, (a) any period after the tenancy has terminated and the Tenant has vacated the rental unit; or (b) any period after the Tenant's interest in the tenancy has terminated and the Tenant has vacated the rental unit.

10. In the above circumstances, where the Tenants vacated the rental unit after the delivery of an N4 notice and before the hearing for the L1 Application based on that N4 Notice, we find the tenancy terminated on May 30, 2026. Rent arrears are calculated up to the date the Tenants vacated the rental unit.
11. The rent arrears owing to May 30, 2026, are \$4,088.11.
12. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
13. The Landlord collected a rent deposit of \$1,850.00 from the Tenants on July 22, 2020. The current amount of deposit being held by the Landlord is \$2,040.09, with interest last being paid the date the Tenants vacated the rental unit. The rent deposit is applied to the arrears of rent because the tenancy terminated.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated as of May 30, 2026, the date the Tenants moved out of the rental unit.
2. The Tenants shall pay to the Landlord \$2,234.02. This amount includes rent arrears owing up to the date the Tenants moved out of the rental unit and the cost of filing the application. The rent deposit is deducted from the amount owing by the Tenants. See Schedule 1 for the calculation of the amount owing.

3. If the Tenants do not pay the Landlord the full amount owing on or before June 26, 2026, the Tenants will start to owe interest. This will be simple interest calculated from June 27, 2026, at 4.00% annually on the balance outstanding.

June 15, 2026
Date Issued

Brandon Valley
Member, Landlord and Tenant Board

Nicole Pedron
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 Tenants must pay as the tenancy is terminated

Rent Owing To Move Out Date	\$6,105.11
Application Filing Fee	\$186.00
Less the amount the Tenants paid to the Landlord since the application was filed	- \$2,017.00
Less the amount of the last month's rent deposit	- \$2,040.09
Total amount owing to the Landlord	\$2,234.02