



Order under Section 78(6) Residential Tenancies Act, 2006

File Number: LTB-L-106155-25

In the matter of: 305, 322 EGLINTON AVE E
TORONTO ON M4P1L6

Between: K&G Apartment Holdings Inc. Landlord

And

Elena Mabeka Tenants
Tristan Williams

K&G Apartment Holdings Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Elena Mabeka and Tristan Williams (the 'Tenants') and for an order to have the Tenants pay compensation for damage they owe because the Tenants did not meet a condition specified in the order issued by the LTB on May 22, 2025, with respect to application LTB-L-011088-25.

This application was decided without a hearing being held.

Determinations:

1. The order provides that the Landlord can apply to the LTB under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenants to terminate the tenancy and evict the Tenants if the Tenants do not meet certain condition(s) in the order. This application was filed within 30 days of the breach.
2. I find that the Tenants have not met the following condition specified in the order:

The Tenants failed to pay the lawful monthly rent in full due by December 1, 2025.
3. This order replaces order LTB-L-011088-25.
4. The Landlord collected a rent deposit of \$1,669.30 from the Tenants and this deposit is still being held by the Landlord.
5. Interest on the rent deposit is owing to the Tenants for the period from August 1, 2020, to January 7, 2026.
6. The amount of the rent deposit and interest on the rent deposit is applied to the amount the Tenants is required to pay.
7. The Landlord is entitled to daily compensation from the day after this order is issued to the date the Tenants move out of the unit at a daily rate of \$57.15. This amount is calculated as follows: \$1,738.24 x 12, divided by 365 days.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before January 18, 2026.
2. If the unit is not vacated on or before January 18, 2026, then starting January 19, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
3. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord on or after January 19, 2026.
4. As of the date of this order, the amount of the rent deposit and interest the Landlord owes on the rent deposit exceeds the compensation for damage the Landlord is entitled to by \$1,829.90*.
5. However, the Landlord is authorized to deduct the following from the amount the Landlord owes the Tenants: \$57.15 per day for compensation for the use of the unit starting January 8, 2026, to the date the Tenants move out of the unit.
6. The Landlord or the Tenants shall pay to the other any sum of money that is owed as a result of this order.

January 7, 2026
Date Issued

Kelly Delaney
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor,
Toronto ON M7A 2G6

The Tenants have until January 17, 2026, to file a motion with the LTB to set aside the order under s. 78(9) of the Act. If the Tenants file the motion by January 17, 2026, the order will be stayed, and the LTB will schedule a hearing.

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on July 19, 2026, if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.

* Refer to the attached Summary of Calculations.

Summary of Calculation**Amount the Tenants must pay the Landlord:**

Reason for amount owing	Period	Amount
Less the rent deposit:		-\$1,669.30
Less the interest owing on the rent deposit	August 1, 2020, to January 7, 2026	-\$160.60
Plus, daily compensation owing for each day of occupation starting January 8, 2026		\$57.15 (per day)
Total the Tenants must pay the Landlord:		- \$1,829.90 +\$57.15 per day starting January 8, 2026