



JAN 09, 2026

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

Citation: Sifton Properties Limited v Diiorio, 2026 ONLTB 3540

Date: 2026-01-09

File Number: LTB-L-087069-25

In the matter of: 106, 74 JANEFIELD AVE
GUELPH ON N1G2L6

Between: Sifton Properties Limited Landlord

And

Emilio Diiorio Tenants
Rachel Prickett
Patricia Prickett

Sifton Properties Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Emilio Diiorio, Rachel Prickett and Patricia Prickett (the 'Tenants') because the Tenants did not pay the rent that the Tenants owes.

This application was heard by videoconference on December 18, 2025.

The Landlord's Agent, Jacquie Slemmonds, and the Tenants, Emilio Diiorio and Rachel Prickett, attended the hearing.

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 was in possession of the rental unit on the date the application was filed.
3. The Tenants vacated the rental unit on November 30, 2025. Rent arrears are calculated up to the date the Tenants vacated the unit
4. The lawful rent is \$1,662.56. It was due on the 1st day of each month.
5. The Tenants have not made any payments since the application was filed.
6. It was undisputed that the rent arrears owing to November 30, 2025, are \$4,947.13.

7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord collected a rent deposit of \$1,589.57 from the Tenants and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy terminated.
9. Interest on the rent deposit, in the amount of \$36.36 is owing to the Tenants for the period from January 1, 2025, to November 30, 2025.
10. The Tenants claimed that they were unable to pay the arrears due to their current financial status. I understood this to be a request to delay the accrual of interest on the balance owing.
11. Subsection 207(7) of the *Residential Tenancies Act*, 2006 (the 'Act') provides: "the Board may set a date on which payment of money ordered by the Board must be made and interest shall accrue on money owing only after that date at the post-judgment interest rate . . .".
12. The Tenant, Emilio Diiorio ("ED"), testified that his business is no longer operational, and the Tenants would need six months to a year to get back on their feet. ED testified that the other Tenant, Rachel Prickett ("RP"), was a stay-at-home mom and the parties have two children.
13. The Landlord's Agent indicated that the parties were currently not paying rent as they were living with one of the party's parents.
14. I am not satisfied that the Tenants presented sufficient evidence to justify delaying the accrual of interest for six months to a year. The Tenants presented no specific evidence as to their current debts, income, or plans to repay the Landlord and instead just gave general evidence that they need an extended period of time to repay the Landlord.
15. As such I am not persuaded to exercise discretion to delay the accrual of interest.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated as of November 30, 2025, the date the Tenants moved out of the rental unit.
2. The Tenants shall pay to the Landlord \$3,507.20. 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 and interest the Landlord owes on 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 does not pay the Landlord the full amount owing on or before January 20,

2026, the Tenants will start to owe interest. This will be simple interest calculated from January 21, 2026, at 4.00% annually on the balance outstanding.

January 9, 2026

Date Issued

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	\$4,947.13
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,589.57
Less the amount of the interest on the last month's rent deposit	- \$36.36
Total amount owing to the Landlord	\$3,507.20