



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-085396-25

In the matter of: 8, 104 SHERMAN AVE S
HAMILTON ON L8M 2P7

Between: Keasy Property Management Landlord

and

Jennifer Ribeiro Tenants
Daena Miller

Keasy Property Management (the 'Landlord') applied for an order to terminate the tenancy and evict Jennifer Ribeiro and Daena Miller (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on December 22, 2025.

The Landlord's representative, Petar Guzina, the Landlord's Agent, Millan Jankovic, and the Tenants 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. As of the hearing date, the Tenants were still in possession of the rental unit.
3. The lawful rent is \$1,047.55. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$34.44. This amount is calculated as follows: \$1,047.55 x 12, divided by 365 days.
5. The Tenants have not made any payments since the application was filed.
6. The rent arrears owing to December 31, 2025, are \$17,055.90. The Tenants did not contest the outstanding arrears.

7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. There is no last month's rent deposit.

Relief from Eviction

9. Section 83 of the *Residential Tenancies Act, 2006* (the 'Act') requires the Board to consider whether it would be unfair to grant an eviction order, having regard to all circumstances, including the Tenant's personal circumstances, the reasons for the rent arrears, the Tenant's ability to remedy the arrears within a reasonable time, and any prejudice that may be experienced by the Landlord.
10. In this case, the parties were unsuccessful resolving the issue of rent arrears through a payment plan. The Landlord sought an eviction order for termination and eviction with 11 days for the Tenants to pay off all outstanding amounts and void the order.
11. The Tenant, Daena Miller, testified that he is the sole income earner in the household. He fractured his wrist 5-6 months ago, and he has been involved in a lawsuit, which has all contributed to the arrears.
12. The Tenant, Jennifer Ribeiro, testified that she was let go from her job. She is receiving Ontario works and will be applying for disability benefits. She further indicated that she has a mental disability.
13. The Tenants also testified that they have resided in the rental unit for approximately 6 years. I asked the Tenants whether they have started their search for a new rental unit. They indicated that they have been rejected due to their credit. The Tenants requested until March 2026 for an eviction order and then indicated that they require approximately 18 months or more to pay off the arrears.
14. The Landlord objected to the proposed delay and payment plan. It is the Landlord's position that further delay would cause financial prejudice to the Landlord because costs associated with the rental unit has to be paid.
15. The arrears have accumulated, and the Tenants have paid nothing since the application has been filed. The Tenants testified that they could pay \$500.00 per month, which would take several years to repay, while ongoing rent would continue to accrue. I am not satisfied that a payment plan would be viable considering all circumstances.
16. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the Act and find that it would not be unfair to postpone the eviction until January 31, 2026, pursuant to subsection 83(1)(b) of the Act. I find that a short postponement is reasonable to allow the Tenants an opportunity to preserve their tenancy, or if necessary, secure alternative accommodation.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated unless the Tenants voids this order.

2. **The Tenants may void this order and continue the tenancy by paying to the Landlord or to the Board in trust:**
 - \$18,289.45 if the payment is made on or before January 31, 2026. See Schedule 1 for the calculation of the amount owing.
3. The Tenants may also make a motion at the Board to void this order under section 74(11) of the Act, if the Tenants have paid the full amount owing as ordered plus any additional rent that became due after January 31, 2026, but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenant may only make this motion once during the tenancy.
4. **If the Tenants does not pay the amount required to void this order the Tenants must move out of the rental unit on or before January 31, 2026.**
5. If the Tenants does not void the order, the Tenants shall pay to the Landlord \$16,952.03. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.
6. The Tenants shall also pay the Landlord compensation of \$34.44 per day for the use of the unit starting December 23, 2025, until the date the Tenants moves out of the unit.
7. If the Tenants does not pay the Landlord the full amount owing on or before January 31, 2026, the Tenants will start to owe interest. This will be simple interest calculated from February 1, 2026, at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before January 31, 2026, then starting February 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. 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 February 1, 2026.

January 14, 2026
Date Issued

Adeela Alvez
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on August 1, 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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenants must pay to void the eviction order and continue the tenancy if the payment is made on or before January 31, 2026

Rent Owing To January 31, 2026	\$18,103.45
Application Filing Fee	\$186.00
Total the Tenants must pay to continue the tenancy	\$18,289.45

B. Amount the Tenants must pay if the tenancy is terminated

Rent Owing To Hearing Date	\$16,766.03
Application Filing Fee	\$186.00
Total amount owing to the Landlord	\$16,952.03
Plus daily compensation owing for each day of occupation starting December 23, 2025	\$34.44 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	