



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

File Number: LTB-L-083005-25

In the matter of: BASEMENT UNIT, 26 FUTURA DR
NORTH YORK ON M3N2L7

Between: Savi Rak Landlord
Frank Trelle
Celesta Basler
Domenico Trelle

And

Ivin Smith Tenant

Savi Rak, Frank Trelle, Celesta Basler and Domenico Trelle (the 'Landlord') applied for an order to terminate the tenancy and evict Ivin Smith (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on December 17, 2025.

The Landlord's Legal Representative Maria Sturino and the Tenant attended the hearing.

When the capitalized word "Landlord" is used in this order, it refers to all persons or companies identified as a Landlord at the top of the order. When the capitalized word "Tenant" is used in this order, it refers to all persons identified as a Tenant.

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 December 11, 2025. Rent arrears are calculated up to the date the Tenant vacated the unit
4. The lawful rent is \$1,435.37. It was due on the 1st day of each month.
5. The Tenant has not made any payments since the application was filed.

6. The rent arrears owing to December 11, 2025 are \$12,881.11.
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 \$1,350.00 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 terminated.
9. Interest on the rent deposit, in the amount of \$59.18 is owing to the Tenant for the period from March 12, 2024 to December 11, 2025.
10. At the hearing the Landlord sought a standard order for the arrears and the Tenant a payment plan. The Tenant is currently residing with a friend and pays no rent. He testified that he recently started work at UPS and only earns \$1,200.00 per month currently. He also has expense related to his car, food, cellphone and the rental of a storage locker as well as credit line payments.
11. The Tenant proposed a payment plan of \$350-\$500 per month.
12. I am not satisfied that a payment plan is appropriate. The outstanding arrears are significant and even at \$500 per month the plan proposed by the Tenant would take 23 months to complete. At \$350.00 per month this would amount to a 33-month plan. I find that either of these would be prejudicial to the Landlord in consideration of the quantum outstanding, and the fact that no payments have been made since the Application was filed.
13. However, in consideration of the Tenants circumstances I shall delay payment until February 14, 2026, to allow the Tenant additional time to get back on their feet and stabilise their financial situation.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of December 11, 2025, the date the Tenant moved out of the rental unit.
2. The Tenant shall pay to the Landlord \$11,657.93. This amount includes rent arrears owing up to the date the Tenant 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 Tenant. See Schedule 1 for the calculation of the amount owing.
3. If the Tenant does not pay the Landlord the full amount owing on or before February 14, 2026, the Tenant will start to owe interest. This will be simple interest calculated from February 15, 2026 at 4.00% annually on the balance outstanding.

January 14, 2026
Date Issued

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	\$12,881.11
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,350.00
Less the amount of the interest on the last month's rent deposit	- \$59.18
Total amount owing to the Landlord	\$11,657.93