



Order under Section 69 Residential Tenancies Act, 2006

Citation: WATKINS v BLACK, 2026 ONLTB 5817

Date: 2026-01-15

File Number: LTB-L-088346-25

In the matter of: 32 DELANEY CRES
BARRIE ON L4N7C3

Between: David Watkins Landlords
Sandra Watkins

And

Mandy Black Tenant
Shawn Dury

David Watkins and Sandra Watkins (the 'Landlords') applied for an order to terminate the tenancy and evict Mandy Black and Shawn Dury (the 'Tenants') because the Tenant did not pay the rent that the Tenants owe.

This application was heard by videoconference on January 13, 2026. The Landlord's legal representative, Bill Burd and the second named Tenant ('S.D') attended the hearing.

The Landlord and the Tenant attended the hearing.

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. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The parties agree that the lawful rent is \$1,800.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$59.18. This amount is calculated as follows: \$1,800.00 x 12, divided by 365 days.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to January 31, 2026, are \$34,200.00.

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. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would not be unfair to postpone the eviction until February 15, 2026, pursuant to subsection 83(1)(b) of the Act.
10. The last payment the Tenants made to the Landlords was July 2024. The Landlords are related to the Tenants, Sandra Watkins is Shawn Dury's mother. However, S.D conceded that he rents from his parents.
11. S.D testified that he was injured at work, which impacted his ability to earn an income, he has a heating and air conditioning company however, due to his injuries has not been working. S.D proposed a repayment plan of \$1,800.00 per month on-top of the monthly rent which would be approximately 20 months. Given the Tenants delinquent history of non-payment and the accumulated arrears, I do not find that the tenancy is viable.
12. The Tenants have resided in the unit they say for approximately 18 years. Given the duration of the tenancy, I find an extension until February 15, 2026, to be reasonable in the circumstance. This delay is not so extensive that it shall severely impact the Landlords. The Tenants may also receive some additional time due to the inevitable delay due to enforcing this order through the Sheriffs office.

It is ordered that:

1. The tenancy between the Landlords and the Tenants is terminated unless the Tenants void this order.
 2. **The Tenants may void this order and continue the tenancy by paying to the Landlords or to the LTB in trust:**
 - \$34,386.00 if the payment is made on or before January 31, 2026. See Schedule 1 for the calculation of the amount owing.
- OR**
- \$36,186.00 if the payment is made on or before February 15, 2026. See Schedule 1 for the calculation of the amount owing.
 3. The Tenants may also make a motion at the LTB 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 February 15, 2026, but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenants may only make this motion once during the tenancy.

4. **If the Tenants do not pay the amount required to void this order the Tenants must move out of the rental unit on or before February 15, 2026.**
5. If the Tenants do not void the order, the Tenants shall pay to the Landlord \$33,355.34. 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 \$59.18 per day for the use of the unit starting January 14, 2026, until the date the Tenants move out of the unit.
7. If the Tenants do not pay the Landlords the full amount owing on or before February 15, 2026, the Tenants will start to owe interest. This will be simple interest calculated from February 16, 2026, at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before February 15, 2026, then starting February 16, 2026, the Landlords 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 16, 2026.

January 15, 2026
Date Issued

Curtis Begg
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 16, 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	\$34,200.00
Application Filing Fee	\$186.00
Total the Tenants must pay to continue the tenancy	\$34,386.00

B. Amount the Tenants must pay to void the eviction order and continue the tenancy if the payment is made on or before February 15, 2026

Rent Owing To February 28, 2026	\$36,000.00
Application Filing Fee	\$186.00
Total the Tenants must pay to continue the tenancy	\$36,186.00

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

Rent Owing To Hearing Date	\$33,169.34
Application Filing Fee	\$186.00
Total amount owing to the Landlord	\$33,355.34
Plus daily compensation owing for each day of occupation starting January 14, 2026	\$59.18 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	