



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-089441-25

In the matter of: 311, 117 WHITBURN CRES
NORTH YORK ON M3M2S7

Between: 117 Whitburn Holding LTD

Landlord

And

Diane Hector

Tenant

117 Whitburn Holding LTD (the 'Landlord') applied for an order to terminate the tenancy and evict Diane Hector (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 12, 2026.

Only the Landlord's Legal Representative Alethia Hall attended the hearing.

As of 2:14 PM, the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

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 lawful rent is \$1,130.12. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$37.15. This amount is calculated as follows: \$1,130.12 x 12, divided by 365 days.
5. The Tenant has paid \$3,748.32 to the Landlord since the application was filed.
6. The rent arrears owing to January 31, 2026 are \$21.38.
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 \$1,102.56 from the Tenant and this deposit is still being held by the Landlord. The rent deposit can only be applied to the last rental period of the tenancy if the tenancy is terminated.
9. Interest on the rent deposit, in the amount of \$28.33 is owing to the Tenant for the period from January 1, 2025 to January 12, 2026.
10. The Landlord sought a delayed termination of the tenancy to the end of January due to the rental arrears owing.
11. The Tenants did not attend the hearing to provide submissions and testimony with respect to their circumstances. However, after the application was filed with the Board, the Tenant paid the Landlord all the rent owing as of the date of the hearing except \$21.38. Having 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 grant relief from eviction pursuant to subsection 83(1)(a) of the Act.

It is ordered that:

1. The Tenants shall pay to the Landlord \$207.83, which represents the balance of the rent arrears to January 31, 2026 and the cost for filing the application.
2. If the Tenants do 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 2, 2026 at 4.00% annually on the balance outstanding.

January 19, 2026
Date Issued

Sean Ramage
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.