



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

File Number: LTB-L-081290-25

In the matter of: 8, 50 THOMAS MULHOLLAND DRIVE
NORTH YORK ON M3K0A6

Between: Vicky Lee Landlord

And

Javier Austin Caicedo Tenant

Vicky Lee (the 'Landlord') applied for an order to terminate the tenancy and evict Javier Austin Caicedo (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on December 8, 2025.

Only the Landlord and the Landlord's agent, Alvin Lee, attended the hearing.

As of 9:40 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 \$1,180.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$38.79. This amount is calculated as follows: \$1,180.00 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 December 31, 2025 are \$5,900.00.
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 \$1,180.00 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 \$20.37 is owing to the Tenant for the period from April 1, 2025 to December 8, 2025.
10. An eviction order has already been issued for this tenancy in order LTB-L-087918-25, which has been filed for enforcement with enforcement scheduled for December 15, 2025. As a tenancy cannot be terminated more than once, this will be an arrears only order. Order LTB-L-087918-25 does not make any findings with regards to arrears.

It is ordered that:

1. The Tenant shall pay the Landlord \$4,015.95 to the Landlord for arrears and costs up to December 8, 2025, minus the rent deposit and interest owing on the rent deposit
2. The Tenant shall also pay the Landlord compensation of \$38.79 per day for the use of the unit starting December 9, 2025 until the date the Tenant moves out of the unit.
3. If the Tenant does not pay the Landlord the full amount owing on or before February 3, 2026, the Tenant will start to owe interest. This will be simple interest calculated from February 4, 2026 at 4.00% annually on the balance outstanding.

January 23, 2026

Date Issued

Dawn Carr

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 Hearing Date	\$5,030.32
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,180.00
Less the amount of the interest on the last month's rent deposit	- \$20.37
Total amount owing to the Landlord	\$4,015.95
Plus daily compensation owing for each day of occupation starting December 9, 2025	\$38.79 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	