



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-093579-25

In the matter of: 1406, 44 Valley Woods Road
Toronto ON M3A2R6

Between: Top Of The Valley Apartments Landlord

and

Clayton Rosario
Calvin Rosario Tenants

Top Of The Valley Apartments (the 'Landlord') applied for an order to terminate the tenancy and evict Clayton Rosario and Calvin Rosario (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on January 21, 2026.

Only the Landlord's Legal Representative, Sean Beard, attended the hearing.

As of 2:41pm, the Tenants were 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 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 rent arrears owing to January 31, 2026 are \$0.00. However, the Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
4. As only \$185.60 of the filing fee is outstanding, the Landlord did not seek termination of the tenancy and instead only sought that the outstanding portion of the filing fee be paid within 30 days.

It is ordered that:

1. On or before February 20, 2026, the Tenants shall pay to the Landlord \$185.60.

2. If the Tenants do not pay the Landlord the full amount owing on or before February 20, 2026, the Tenants will start to owe interest. This will be simple interest calculated from February 21, 2026 at 4.00% annually on the balance outstanding.

January 30, 2026

Date Issued

Candace Aboussafy

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.