



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

File Number: LTB-L-081649-25

In the matter of: 436, 50 Herrick Ave
St Catharines ON L2P0G3

Between: Navreet Athwal Landlord

And

Endre Morvai Tenants
Vivien Bozik

Navreet Athwal (the 'Landlord') applied for an order to terminate the tenancy and evict Endre Morvai and Vivien Bozik (the 'Tenants') because the Tenants did not pay the rent that the Tenants owes.

This application was heard by videoconference on December 9, 2025.

The Landlord, the Landlord's legal representative Ramandeep Jagde, and the Tenants attended the hearing.

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 was still in possession of the rental unit.
3. The lawful rent is \$2,000.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$65.75. This amount is calculated as follows: \$2,000.00 x 12, divided by 365 days.
5. The Tenants has not made any payments since the application was filed.
6. The rent arrears owing to December 31, 2025 are \$10,000.00.
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 \$2,000.00 from the Tenants 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 \$68.77 is owing to the Tenants for the period from July 26, 2024 to December 9, 2025.
10. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), including whether the Landlord attempted to negotiate a repayment agreement with the Tenants, and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.
11. The Tenant Endre Morvai testified that he experienced two losses of employment – once in October 2024 and then again in April 2025 – that led to the Tenants' rent arrears. He testified that he resides in the rental unit with Ms. Bozik and their two children – ages 2 and 7.
12. At the hearing, the Mr. Morvai acknowledged that he cannot afford the rent on an ongoing basis and that his intention was ultimately to vacate the rental unit.
13. The Landlord testified that he has had to borrow over \$8,000.00 from his parents over multiple months to pay the carrying costs of the rental unit in the absence of rental income.
14. While I am sympathetic to the Tenants' circumstances, it would be unfair to the Landlord to prolong this tenancy when no prospect of paying the rent or the arrears has been identified at the hearing. As such, no relief is granted. To preserve their tenancy, the Tenants must pay the full balance of the arrears as instructed in the order below.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated unless the Tenants voids this order.
2. **The Tenants may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**
 - \$12,186.00 if the payment is made on or before January 31, 2026. See Schedule 1 for the calculation of the amount owing.

OR

 - \$14,186.00 if the payment is made on or before February 10, 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 has paid the full amount owing as ordered plus any additional rent that became due after February 10, 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 does not pay the amount required to void this order the Tenants must move out of the rental unit on or before February 10, 2026.**

5. If the Tenants does not void the order, the Tenants shall pay to the Landlord \$6,708.98. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit are deducted from the amount owing by the Tenants. See Schedule 1 for the calculation of the amount owing.
6. The Tenants shall also pay the Landlord compensation of \$65.75 per day for the use of the unit starting December 10, 2025 until the date the Tenants moves out of the unit.
7. If the Tenants does not pay the Landlord the full amount owing on or before February 10, 2026, the Tenants will start to owe interest. This will be simple interest calculated from February 11, 2026 at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before February 10, 2026, then starting February 11, 2026, the Landlord 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 11, 2026.

January 30, 2026
Date Issued

Jeremy Henderson
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 11, 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	\$12,000.00
Application Filing Fee	\$186.00
Total the Tenants must pay to continue the tenancy	\$12,186.00

B. Amount the Tenants must pay to void the eviction order and continue the tenancy if the payment is made on or before February 10, 2026

Rent Owing To February 28, 2026	\$14,000.00
Application Filing Fee	\$186.00
Total the Tenants must pay to continue the tenancy	\$14,186.00

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

Rent Owing To Hearing Date	\$8,591.75
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$2,000.00
Less the amount of the interest on the last month's rent deposit	- \$68.77
Total amount owing to the Landlord	\$6,708.98
Plus daily compensation owing for each day of occupation starting December 10, 2025	\$65.75 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	