



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-095799-25

In the matter of: B1, 89 LAWRENCE AVE E
TORONTO ON M4N1S5

Between: AFG Properties Inc. and Landlords
Shield Investment Property Management Inc.

And

Kevin Paul Tenant

AFG Properties Inc and Shield Investment Property Management Inc. (the 'Landlords') applied for an order to terminate the tenancy and evict Kevin Paul (the 'Tenant') because:

- the Tenant did not pay the rent that the Tenant owes (L1 Application); and
- the Tenant has been persistently late in paying the Tenant's rent; (L2 Application).

The Landlords also claimed compensation for each day the Tenant remained in the unit after the termination date.

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

The Landlords' Legal Representative Brittney-Rose Ward and the Tenant attended the hearing.

Determinations:

L1 Application – Non-Payment of Rent

1. The Landlords 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 \$1,700.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$55.89. This amount is calculated as follows: \$1,700.00 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 \$17,000.00.
7. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlords collected a rent deposit of \$1,700.00 from the Tenant and this deposit is still being held by the Landlords. 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 \$70.08 is owing to the Tenant for the period from April 6, 2024 to January 12, 2026.

L2 Application – Persistent Late Payment of Rent

10. On August 5, 2025, the Landlords gave the Tenant an N8 notice of termination ('N8 Notice') deemed served on August 10, 2025. The N8 Notice alleges the Tenant has persistently paid rent late or not at all each month from April to November, 2024 and from January to August, 2025. Rent is due on the 1st of each month. At the hearing the Landlords' Legal Representative testified the dates when payments were made by the Tenant as contained in the N8 Notice were correct.
11. The Landlords' Legal Representative advised that since the filing of the application no rental payments from the Tenant have been received by the Landlords as of the date of this hearing.
12. The Tenant does not dispute the evidence of the Landlords with respect to late and non-payments of rent. Based on the undisputed evidence the Tenant has persistently failed to pay rent on the date that it was due.

Relief from Eviction

13. The Landlords' Legal Representative seeks termination of the tenancy, due to the substantial arrears owing and seeks a non-voidable order due to persistently late payments of rent by the Tenant over the past two years.
14. The Tenant does not dispute the arrears owing or the persistently late payments. He states that he lost his job in April and is currently unemployed.
15. He has recently applied for and receives \$700.00 per month from Ontario Works.
16. The Tenant testified that he has been actively seeking alternative housing and no longer wishes to maintain the tenancy, but requires a week or two to get his affairs in order.
17. 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 be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

It is ordered that:

1. Pursuant to the L2 Application, the tenancy between the Landlords and the Tenant is terminated. The Tenant must move out of the rental unit on or before February 10, 2026.
2. The Tenant shall pay the Landlords any rent arrears owing up to the date of the hearing and the cost of filing the application. The amount of the rent deposit and interest the Landlords owe on the rent deposit are deducted from the amount owing by the Tenant.
3. As of the date of the hearing, the Tenant owes the Landlords \$14,386.60. See Schedule 1 for the calculation of the amount owing.
4. The Tenant shall also pay the Landlords compensation of \$55.89 per day for the use of the unit starting January 13, 2026 to the date the Tenant moves out of the unit.
5. If the Tenant does not pay the Landlords the full amount owing on or before February 10, 2026, the Tenant will start to owe interest. This will be simple interest calculated from February 11, 2026 at 4.00% annually on the balance outstanding.
6. 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.
7. 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

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.

In accordance with section 81 of the Act, the part of this order relating to the eviction of the Tenant 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 Tenant must pay as the tenancy is terminated

Rent Owing To January 12, 2026	\$15,970.68
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	-\$1,700.00
Less the amount of the interest on the last month's rent deposit	-\$70.08
Total amount owing to the Landlords	\$14,386.60
Plus daily compensation owing for each day of occupation starting January 13, 2026	\$55.89 (per day)