



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

File Number: LTB-L-095977-25

In the matter of: 6, 142 BROCK ST
BROCKVILLE ON K6V4G4

Between: 1000705631 Landlord

And

Jason Topping Tenants
Tisha Wilson

1000705631 (the 'Landlord') applied for an order to terminate the tenancy and evict Jason Topping and Tisha Wilson (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on January 26, 2026.

The Landlord's Legal Representative, Janet Van Oordt, and the Tenants attended the hearing.

Determinations:

1. The Tenants intended to bring forth issues under s. 82 of the *Residential Tenancies Act, 2006*, (the 'Act'), however they failed to properly serve any documents or evidence to the Landlord or to the Board in accordance with the 7-day LTB disclosure rule. Therefore, the s. 82 issues were not heard. The Tenants were advised after the hearing he could file their own separate application about these issues with the board
2. 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.
3. As of the hearing date, the Tenants were still in possession of the rental unit.
4. The lawful rent is \$1,850.00. It is due on the 15th day of each month.
5. Based on the Monthly rent, the daily rent/compensation is \$60.82. This amount is calculated as follows: \$1,850.00 x 12, divided by 365 days.
6. The Tenants have not made any payments since the application was filed.

7. The rent arrears owing to February 14, 2026, are \$21,930.00.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
9. The Landlord collected a rent deposit of \$1,850.00 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.
10. Interest on the rent deposit, in the amount of \$97.08 is owing to the Tenants for the period from December 15, 2023, to January 26, 2026.

Relief from Eviction

11. The Landlord is requesting a standard 11-day termination order. The Landlord is a large corporate Landlord, however rent still has to be paid and when rent is not paid, it impacts their ability to continue to meet their own financial obligations.
12. The Tenants would like to stay at the rental unit, however they do not make enough money to pay for the rent and do not have enough money to put towards a reasonable payment plan for the rent arrears. Therefore, the tenancy is not viable. I have taken into consideration the Tenants have three small children and one on the way and have delayed the eviction to March 14, 2026.
13. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the Act, including whether the Landlord attempted to negotiate a repayment agreement with the Tenants and find that it would not be unfair to postpone the eviction until March 14, 2026, pursuant to subsection 83(1)(b) of the Act.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated unless the Tenants void this order.
2. **The Tenants may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**
 - \$22,116.00 if the payment is made on or before February 14, 2026. See Schedule 1 for the calculation of the amount owing.

OR

 - \$23,966.00 if the payment is made on or before March 14, 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 have paid the full amount owing as ordered plus any additional rent that became due after March 14, 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 do not pay the amount required to void this order the Tenants must move out of the rental unit on or before March 14, 2026.**
5. If the Tenants do not void the order, the Tenants shall pay to the Landlord \$19,048.76. 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 \$60.82 per day for the use of the unit starting January 27, 2026, until the date the Tenants move out of the unit.
7. If the Tenants do not pay the Landlord the full amount owing on or before March 14, 2026, the Tenants will start to owe interest. This will be simple interest calculated from March 15, 2026, at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before March 14, 2026, then starting March 15, 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 March 15, 2026.

January 29, 2026
Date Issued

Paula West Oreskovich
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 September 15, 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 February 14, 2026

Rent Owing to February 14, 2026	\$21,930.00
Application Filing Fee	\$186.00
Total the Tenants must pay to continue the tenancy	\$22,116.00

B. Amount the Tenants must pay to void the eviction order and continue the tenancy if the payment is made on or before March 14, 2026

Rent Owing to March 14, 2026	\$23,780.00
Application Filing Fee	\$186.00
Total the Tenants must pay to continue the tenancy	\$23,966.00

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

Rent Owing to Hearing Date	\$20,809.84
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,850.00
Less the amount of the interest on the last month's rent deposit	- \$97.08
Total amount owing to the Landlord	\$19,048.76
Plus, daily compensation owing for each day of occupation starting January 27, 2026	\$60.82 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	