



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

File Number: LTB-L-088190-25

In the matter of: 2 (B), 602 MAIN ST
WOODSTOCK ON N4S 1V6

Between: John Tamburri Landlords
Maria Tamburri

Jan 30, 2026

and

Brittany Gibson Tenant

John Tamburri and Maria Tamburri (the 'Landlords') applied for an order to terminate the tenancy and evict Brittany Gibson (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 13, 2026.

Only the Landlords' representative, Timothy Mobberley, attended the hearing.

As of 1:38 p.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the Board. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlords' evidence.

Determinations:

1. At the beginning of the hearing, I raised a preliminary issue concerning the service of the Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The certificate of service filed with the Board states that the Landlord served the N4 Notice on October 2, 2025, by sending the notice to three different emails.
2. Aldo Tamburri attended at the hearing as a witness to testify regarding the service of the N4 Notice. He indicated that he placed the notice under the rental property door on October 8, 2025. I accept Mr. Tamburri's testimony regarding the service of the N4 Notice and find that the Landlords served the Tenant with a valid N4 Notice using a method permitted by Board's Rules of Procedure 3.1. The service occurred on October 8, 2025, which is more than 14 days before the termination date on the N4 Notice.
3. 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.

4. As of the hearing date, the Tenant was still in possession of the rental unit.
5. The lawful rent is \$575.00. It is due on the 1st day of each month.
6. Based on the Monthly rent, the daily rent/compensation is \$18.90. This amount is calculated as follows: $\$575.00 \times 12$, divided by 365 days.
7. The Tenant has paid \$1,785.00 to the Landlords since the application was filed.
8. The rent arrears owing to January 31, 2026, are \$1,330.00.
9. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
10. There is no last month's rent deposit.

Relief from Eviction

11. The Landlord sought an eviction order for termination and eviction with 11 days for the Tenant to pay off all outstanding amounts and void the order. The parties were unsuccessful resolving the issue of rent arrears through a payment plan.
12. The Landlord was not aware of any reason to delay or deny eviction. As the Tenant did not attend, no other circumstances were presented to me.
13. 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)(a) of the Act.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated unless the Tenant voids this order.
2. **The Tenant may void this order and continue the tenancy by paying to the Landlord or to the Board in trust:**
 - \$1,516.00 if the payment is made on or before January 31, 2026. See Schedule 1 for the calculation of the amount owing.

OR

- \$2,091.00 if the payment is made on or before February 10, 2026. See Schedule 1 for the calculation of the amount owing.
3. The Tenant may also make a motion at the Board to void this order under section 74(11) of the Act, if the Tenant 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 Tenant may only make this motion once during the tenancy.

4. **If the Tenant does not pay the amount required to void this order the Tenant must move out of the rental unit on or before February 10, 2026.**
5. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$1,186.70. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.
6. The Tenant shall also pay the Landlord compensation of \$18.90 per day for the use of the unit starting January 14, 2026 until the date the Tenant moves out of the unit.
7. If the Tenant does not pay the Landlord 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.
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

Adeela Alvez

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 Tenant 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	\$3,115.00
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,785.00
Total the Tenant must pay to continue the tenancy	\$1,516.00

B. Amount the Tenant 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	\$3,690.00
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,785.00
Total the Tenant must pay to continue the tenancy	\$2,091.00

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

Rent Owing To Hearing Date	\$2,785.70
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,785.00
Total amount owing to the Landlord	\$1,186.70
Plus daily compensation owing for each day of occupation starting January 14, 2026	\$18.90 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	