



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-088109-25

In the matter of: 8, 70 EAST AVE S
HAMILTON ON L8N2T4

Between: Ed Hughes Landlord

And

Roger Pinder Tenant

Ed Hughes (the 'Landlord') applied for an order to terminate the tenancy and evict Roger Pinder (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

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

The Landlord and the Tenant attended the hearing.

Determinations:

1. The Landlord 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 \$420.25. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$13.82. This amount is calculated as follows: \$420.25 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 \$1,650.25.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. There is no last month's rent deposit.

9. The Landlord is seeking a standard order terminating the tenancy, with an eviction date 11 days from the date of this order. The Landlord was not agreeable to the payment request submitted by the Tenant.
10. The Tenant is seeking to preserve the tenancy and requested a repayment plan of \$150.00 per month until the arrears are paid in full.
11. The Tenant testified that he would be homeless.
12. 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 not be unfair to grant relief from eviction subject to the conditions set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act.
13. Balancing the interests and prejudices to each of the parties, I find that the repayment of the arrears by way of the Tenant's proposed payment plan is reasonable based on his circumstances. This will allow the Tenant's housing to be preserved and repayment can be made with prejudice to the Landlord alleviated by allowing the Landlord to apply to the board for termination of the tenancy without further notice to the Tenant in the event the Tenant fails to comply with the conditions of this order.

It is ordered that:

1. The Tenant shall pay to the landlord \$1,836.25 which represents the amount of rent owing up to January 31st 2026 and the cost of filing the application.
2. The Tenant shall pay this amount owing to the Landlord as follows:

The Tenant shall pay to the Landlord \$150.00 per month on the 1st day of each month starting February 1, 2026, and continuing on until January 1, 2027 inclusive, and a final payment on February 1, 2027 in the amount of \$36.25.
3. The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period of February 1, 2026, through to January 1, 2027, or until the arrears are paid in full, whichever date is earliest.
4. If the Tenant fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after January 31, 2026.

January 30, 2026

Date Issued

Brenda Mercer

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	\$1,650.25
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$1,836.25

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	\$2,070.50
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$2,256.50

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

Rent Owing To Hearing Date	\$1,395.84
Application Filing Fee	\$186.00
Total amount owing to the Landlord	\$1,581.84
Plus daily compensation owing for each day of occupation starting January 13, 2026	\$13.82 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	