



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-097037-25

In the matter of: 1210, 103 THE QUEENSWAY
TORONTO ON M6S5B3

Between: Elizbeth Yuet Wah Ho Landlord

And

Leland Smardon Tenant

Elizabeth Yuet Wah Ho (the 'Landlord') applied for an order to terminate the tenancy and evict Leland Smardon (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 28, 2026.

Only the Landlord's Representative, Hoi Fai Alvin Chan, attended the hearing.

As of 10:24 a.m., the Tenant was not present or represented at the hearing, although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

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. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Tenant vacated the rental unit on January 20, 2026. Rent arrears are calculated up to the date the Tenant vacated the unit
4. The lawful rent is \$2,152.50. It was due on the 1st day of each month.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to January 20, 2026, are \$54,237.12.
7. The rent arrears owing to the Landlord are more than the LTB's monetary jurisdiction. Under subsection 207(1) of the Act the LTB may order payment up to \$50,000.00.

Proceeding with this application at the LTB extinguishes any rights the Landlord may have to claim the full amount owing at the LTB or a court. The Landlord was made aware of the LTB's monetary jurisdiction and chose to proceed with this application.

8. The Tenant is being ordered to pay up to a maximum of \$50,000.00 for rent arrears, plus the Landlord's cost of filing the application, since the Tenant has already vacated the rental unit.
9. The Landlord 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.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of January 20, 2026, the date the Tenant moved out of the rental unit.
2. The Tenant shall pay to the Landlord \$50,186.00. This amount is the maximum amount of arrears that can be ordered plus the cost of filing the application. See Schedule 1 for the calculation of the amount owing.
3. If the Tenant does not pay the Landlord the full amount owing on or before February 16, 2026, the Tenant will start to owe interest. This will be simple interest calculated from February 17, 2026, at 4.00% annually on the balance outstanding.

February 5, 2026
Date Issued

Sheena Brar
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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenant must pay as the tenancy is terminated

Rent Owing to Move Out Date	\$54,237.12
Application Filing Fee	\$186.00
Total amount owing to the Landlord	\$54,423.12
Total amount owing as per the Board's jurisdictional limi	\$50,186.00