



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-098480-25

In the matter of: 31, 2651 Aquitaine Ave
Mississauga ON N0B1T0

Between: Janeth Rengifo Landlords
Jose Osias Marin

And

Claudia Louise Gilbert Tenants
Enrique Wilson

Janeth Rengifo and Jose Osias Marin (the 'Landlords') applied for an order to terminate the tenancy and evict Claudia Louise Gilbert and Enrique Wilson (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

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

The Landlords' Representative, B. Raponi, and the Tenants attended the hearing.

Determinations:

1. The Landlords 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.
2. The Tenants were in possession of the rental unit on the date the application was filed.
3. The Tenants vacated the rental unit on December 3, 2025. Rent arrears are calculated up to the date the Tenants vacated the unit
4. The Tenant, Claudia Louise Gilbert, testified that the Tenants vacated the rental unit on or before November 30, 2026, but did not return keys until December 3, 2026, so they should not have to pay additional arrears for December 2026.
5. It is the Tenant's own testimony that she did not return the keys of the rental unit until December 3, 2026, and by withholding the key from the Landlord the Tenants continued to exercise control over the rental unit. I find that the Tenants owe the Landlord rent until December 3, 2026.

6. The lawful rent is \$2,200.00. It was due on the 1st day of each month.
7. The Tenants had not made any payments since the application was filed.
8. The rent arrears owing to December 3, 2025, are \$2,416.99.
9. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
10. The Landlords collected a rent deposit of \$2,000.00 from the Tenants, and this deposit is still being held by the Landlords. The rent deposit is applied to the arrears of rent because the tenancy terminated.
11. Interest on the rent deposit, in the amount of \$284.14, is owing to the Tenants for the period from April 28, 2018, to December 3, 2025.

It is ordered that:

1. The tenancy between the Landlords and the Tenants is terminated as of December 3, 2025, the date the Tenants moved out of the rental unit.
2. The Tenants shall pay to the Landlords \$318.85. This amount includes rent arrears owing up to the date the Tenants moved out of the rental unit and the cost of filing the application. The rent deposit and interest the Landlords owe on the rent deposit is deducted from the amount owing by the Tenants. See Schedule 1 for the calculation of the amount owing.
3. If the Tenants do not pay the Landlords the full amount owing on or before February 28, 2026, the Tenants will start to owe interest. This will be simple interest calculated from March 1, 2026, at 4.00% annually on the balance outstanding.

February 3, 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 Tenants must pay as the tenancy is terminated

Rent Owing to Move Out Date	\$2,416.99
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$2,000.00
Less the amount of the interest on the last month's rent deposit	- \$284.14
Total amount owing to the Landlords	\$318.85