



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

File Number: LTB-L-094302-25

In the matter of: 1154 GOYEAU ST
WINDSOR ON N9A1J1

Between: Maryann Bellacicco Landlord

And

Bill Turner Tenants
Dawn Turner

Maryann Bellacicco (the 'Landlord') applied for an order to terminate the tenancy and evict Bill Turner and Dawn Turner (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on January 20, 2026.

The Landlord and the Tenant, Bill Turner, attended the hearing.

Determinations:

1. 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.
2. As of the hearing date, the Tenants were still in possession of the rental unit.
3. The lawful rent is \$1,700.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$55.89. This amount is calculated as follows: \$1,700.00 x 12, divided by 365 days.
5. The Tenants have paid \$2,200.00 to the Landlord since the application was filed.
6. The parties agree that the rent arrears owing to January 31, 2026, are \$4,200.00.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

8. The Landlord collected a rent deposit of \$1,700.00 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.
9. Interest on the rent deposit, in the amount of \$104.95 is owing to the Tenants for the period from July 1, 2023, to January 20, 2026.
10. 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 postpone the eviction until February 25, 2026, pursuant to subsection 83(1)(b) of the Act.
11. The Tenant Bill Turner (BT) testified that he and his spouse have been dealing with health concerns. Ontario Disability Support Program pays \$1,100.00 directly to the Landlord towards rent and the Tenants are supposed to pay \$600.00 out of pocket. Due to increased bills, they have not been able to catch up to missed payments. BT has reached out to Ontario Disability Support Program, and they are willing to help the Tenants pay off the arrears through Housing Stability Program. The Tenants need some time to pay off the arrears. BT also testified that he has applied to another program to assist with the \$600.00 per month shortfall to ensure they do not have arrears going forward.
12. The Landlord has worked with the Tenants but faces financial constraints as well. The Landlord is willing to grant the Tenant some additional time to pay off the arrears.

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:**
 - \$6,086.00 if the payment is made on or before February 25, 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 February 25, 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 February 25, 2026.**
5. If the Tenants do not void the order, the Tenants shall pay to the Landlord \$1,998.85. 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 \$55.89 per day for the use of the unit starting January 21, 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 February 25, 2026, the Tenants will start to owe interest. This will be simple interest calculated from February 26, 2026, at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before February 25, 2026, then starting February 26, 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 26, 2026.

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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on August 26, 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 25, 2026

Rent Owing To February 28, 2026	\$8,100.00
Application Filing Fee	\$186.00
Less the amount the Tenants paid to the Landlord since the application was filed	- \$2,200.00
Total the Tenants must pay to continue the tenancy	\$6,086.00

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

Rent Owing To Hearing Date	\$5,817.80
Application Filing Fee	\$186.00
Less the amount the Tenants paid to the Landlord since the application was filed	- \$2,200.00
Less the amount of the last month's rent deposit	- \$1,700.00
Less the amount of the interest on the last month's rent deposit	- \$104.95
Total amount owing to the Landlord	\$1,998.85
Plus daily compensation owing for each day of occupation starting January 21, 2026	\$55.89 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	