



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

**File Number:** LTB-L-096493-25

**In the matter of:** 256 BEDFORD PARK AVENUE  
TORONTO ON M5M 1J5

**Between:** JIA LI Landlord  
JIANCHENG GAO

**And**

Estate of David Marcus Tenant

JIA LI and JIANCHENG GAO (the 'Landlord') applied for an order to terminate the tenancy and evict the Estate of David Marcus (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on February 4, 2026.

Only the Landlord, Jia Li and the Landlord's Legal Representative, Xiangyu Luo attended the hearing.

As of 9:20 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.

The Board was advised that the Tenant passed away on December 25, 2025 and therefore, the style of cause is changed to the "Estate of David Marcus."

**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 24, 2026. Rent arrears are calculated up to the date the Tenant vacated the unit
4. The lawful rent is \$2,363.90. It was due on the 1st day of each rental period.

5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to January 24, 2026 are \$31,395.02.
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 \$1,750.00 from the Tenant and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy terminated.
9. Interest on the rent deposit, in the amount of \$254.07 is owing to the Tenant for the period from March 15, 2018 to January 24, 2026.
10. Section 91(1) of the *Residential Tenancies Act, 2006* (the 'Act'), provides that if a tenant of a rental unit dies and there are no other tenants of the rental unit, the tenancy shall be deemed to be terminated 30 days after the death of the tenant.
11. At the hearing, the Landlord indicated there were no other occupants of the rental unit.

**It is ordered that:**

1. The tenancy between the Landlord and the Tenant is terminated as of January 24, 2026.
2. The Tenant shall pay to the Landlord \$29,576.95. This amount includes rent arrears owing up to January 24, 2026 and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit is deducted from the amount owing by the Tenant. 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 21, 2026, the Tenant will start to owe interest. This will be simple interest calculated from February 22, 2026 at 4.00% annually on the balance outstanding.

**February 10, 2026**

**Date Issued**

\_\_\_\_\_  
Christopher Lin

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                                             | \$31,395.02        |
| Application Filing Fee                                                  | \$186.00           |
| <b>Less</b> the amount of the last month's rent deposit                 | - \$1,750.00       |
| <b>Less</b> the amount of the interest on the last month's rent deposit | - \$254.07         |
| <b>Total amount owing to the Landlord</b>                               | <b>\$29,576.95</b> |