



Order under Section 69 Residential Tenancies Act, 2006

Citation: 2204788 Ontario Ltd. v Vu, 2026 ONLTB 12900

Date: 2026-02-12

File Number: LTB-L-098887-25

In the matter of: 302, 75 ALLEN ST E
WATERLOO ON N2J1J3

Between: 2204788 Ontario Ltd.

Landlord

And

Richard Vu

Tenant

2204788 Ontario Ltd. (the 'Landlord') applied for an order to terminate the tenancy and evict Richard Vu (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on February 3, 2026.

The Landlord, Jeffrey Zavitz, who is the owner of the corporation, 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). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the notice or before the day 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 \$3,587.50. It is due on the 1st day of each month.
4. The rent arrears owing to February 28, 2026 are \$26,700.00.
5. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
6. The Landlord collected a rent deposit of \$3500.00 on January 28, 2024. Last month's rent may only be applied to the last month of the tenancy.

7. Interest has never been paid on the deposit. Interest owing to the Tenant in the amount of \$175.96 will be credited if the tenancy terminates.

Relief from Eviction

8. The Landlord and the Tenant have requested a payment plan and both wish to continue the tenancy provided that the following payment schedule is met. Both the Landlord and the Tenant live in the same building and both are keen to preserve an amicable relationship. They have had numerous discussions since August 2025 about a payment plan.
9. The Tenant is self-employed in the real estate business and has recently fallen on hard times. He testified that he expects to close a number of business deals in the coming month and will be able to pay his rent and his arrears. The Landlord has been understanding and patient but is also experiencing financial hardship due to the lack of rental income and associated expenses.
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 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.

It is ordered that:

1. The Tenant shall pay to the Landlord \$26,700.00 for arrears of rent up to February 28, 2026 and costs associated with filing the application.
2. The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:
 - \$15,000 on the date of this order, February 12, 2026
 - \$3900.00 on the 1st of March 2026
 - \$3900.00 on the 1st of April 2026
 - \$3900.00 on the 1st of May 2026
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 March 1, 2026 to July 31, 2026, 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 February 28, 2026.

5. The Tenant shall also arrange utilities, gas and water, to be transferred into his name no later than February 28, 2026.

February 12, 2026

Date Issued

Vanessa Davies

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.