



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

File Number: LTB-L-101701-25

In the matter of: 602, 890 MOUNT PLEASANT RD
TORONTO ON M4P2L4

Between: Homestead Land Holdings Limited Landlord

And

Collin-Richard Caleb Tenant

Homestead Land Holdings Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Collin-Richard Caleb (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on February 5, 2026.

The Landlord's Legal Representative, Prarthana Bhat, 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 \$1,619.78. It is due on the 1st day of each month.
4. The Tenant has paid \$4,761.00 to the Landlord since the application was filed.
5. The rent arrears owing to February 28, 2026 are \$1,648.37. This amount was not disputed by the Tenant and the Tenant stated he could pay the amount in full by February 13, 2026.
6. The Landlord incurred costs of \$186.00 for filing the application and sought reimbursement of those costs from the Tenant. Accordingly, the total amount claimed by the Landlord is \$1,834.37.

7. The Tenant was opposed to paying the costs of filing the application. In this regard, he stated that his rent was increased in January 2026 as a result of an above guideline increase. The Tenant stated that he attempted to contact the Landlord repeatedly prior to January to try and find out how much his rent would increase to but no one got back to him. In essence, it was his argument that he would have paid what was owed if the Landlord had actually responded to him and gave him the amounts.
8. As explained at the hearing, the filing fee is a cost incurred by the Landlord to file the application with the Board. In this case, the Landlord would not have to file the application if the Tenant was not in arrears of rent at the time the application was filed, which was December 2, 2025.
9. While I can understand the Tenant's frustration in not getting an answer from the Landlord regarding the rent increase amount commencing January 2026, the bulk of the Tenant's arrears do not stem from January to February 2026. Rather, according to the Tenant's ledger, the Tenant did not pay the rent for October 2025.
10. As the Tenant was in arrears of rent at the time the application was filed, I find that the Landlord is entitled to the costs of filing the application.

Relief from Eviction / Section 83 of the Act

11. The Landlord's Legal Representative submitted that the Landlord was open to a payment plan but that one could not be reached as there was no agreement with respect to the filing fee.
12. As the Tenant was agreeable to pay the rent arrears in full by February 13, 2026, I find a conditional order to be appropriate in the circumstances. At the hearing, the Tenant was directed to pay the arrears amount by the aforesaid date. However, given the timing of the issuance of this order, the deadline to make the payment has been briefly extended.
13. As I have determined that the Landlord is entitled to the costs of filing the application, the Tenant shall pay the filing fee in accordance with the order below.
14. Accordingly, 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 \$1,648.37 for arrears of rent up to February 28, 2026.

2. The Tenant shall pay the Landlord the amount set out in paragraph 1 of this order on or before February 22, 2026. If the Tenant fails to make this payment, the outstanding balance of any arrears of rent 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.
3. On or before February 28, 2026, the Tenant shall pay to the Landlord \$186.00 for the costs of filing the application. If the Tenant fails to pay this amount, the Tenant will start to owe interest commencing March 1, 2026. This will be simple interest at the rate of 4.00% per annum on the balance outstanding.

February 17, 2026
Date Issued

Rachel Gibbons
Member, Landlord and Tenant Board

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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.