



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

File Number: LTB-L-099973-25

In the matter of: 2617, 7 Crescent Pl.
Toronto ON M4C5L7

Between: Pinedale Properties Ltd Landlord

And

Adeyemi Oyeyemi Tenant

Pinedale Properties Ltd (the 'Landlord') applied for an order to terminate the tenancy and evict Adeyemi Oyeyemi (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 representative, Frannie Simms, the Landlord's Agent, Mario Gambelic, 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 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. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$1,648.66. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$54.20. This amount is calculated as follows: \$1,648.66 x 12, divided by 365 days.
5. The Tenant has paid \$4,925.00 to the Landlord since the application was filed.
6. It was undisputed that the rent arrears owing to February 28, 2026, are \$1,651.60.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

8. The Tenant did not agree with having to pay the \$186.00 filing fee as he was only a few days late on rent and was going to pay the outstanding balance by the day after the hearing.
9. The Landlord's Representative indicated that the Landlord was open to allowing the Tenant until the end of February 2026 to pay the filing fee.
10. Regarding the Tenant's request the Board waive the Landlord's filing fee I am denying the Tenant's request for the following reasons.
11. The Board charges Landlords and Tenants a filing fee when an application is filed with the Board.
12. This fee is a discretionary decision to be granted to a successful application under the Board's Rules of Procedures section 23 Costs that states:

Ordering the Application Fee as Costs

23.1 If the applicant is successful, the LTB may order the respondent to pay the application fee to the applicant as costs.

13. If the Tenant were not in arrears, the Landlord would not have had to file the application. The Tenant could have paid his rent in full and on time in August, September, October, or November, prior to the application being filed but did not. The Tenant had ample opportunity to communicate with the Landlord and resolve his rent arrears prior to the Landlord filing the application and chose not to.
14. Ultimately, it is the responsibility of the Tenant to pay the lawful rent each month to the Landlord in full and on time. If this does not happen, the Landlord may enforce their legal rights by way of filing an application, which is what they did in this case. Therefore, the Tenant shall pay the application fee to the Landlord.
15. The Landlord collected a rent deposit of \$1,611.59 from the Tenant 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.
16. Interest on the rent deposit, in the amount of \$6.21 is owing to the Tenant for the period from December 1, 2025, to February 5, 2026.
17. The Tenant indicated that he could have the balance owing, minus the filing fee paid by February 6, 2026. However, the Tenant requested until the end of February or March 2026 to pay the \$186.00 filing fee.
18. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), including whether the Landlord attempted to negotiate a repayment agreement with the Tenant and find that it would not be unfair to postpone the eviction until February 28, 2026, pursuant to subsection 83(1)(b) of the Act. This will allow the Tenant time to pay the arrears and filing fee.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated unless the Tenant voids this order.
2. **The Tenant may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**
 - \$1,837.60 if the payment is made on or before February 28, 2026. See Schedule 1 for the calculation of the amount owing.
3. The Tenant may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenant has paid the full amount owing as ordered plus any additional rent that became due after February 28, 2026, but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenant may only make this motion once during the tenancy.
4. **If the Tenant does not pay the amount required to void this order the Tenant must move out of the rental unit on or before February 28, 2026.**
5. As of the date of the hearing, the amount of the rent deposit and interest the Landlord owes on the rent deposit exceeds the arrears of rent, compensation and the cost of filing the application the Landlord is entitled to by \$1,157.86. See Schedule 1 for the calculation of the amount owing. However, the Landlord is authorized to deduct from the amount owing to the Tenant \$54.20 per day for compensation for the use of the unit starting February 6, 2026, until the date the Tenant moves out of the unit.
6. The Landlord or the Tenant shall pay to the other any sum of money that is owed as a result of this order.
7. If the unit is not vacated on or before February 28, 2026, then starting March 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
8. 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 March 1, 2026.

February 17, 2026
Date Issued

Nicole Pedron
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 September 1, 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 Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before February 28, 2026

Rent Owing To February 28, 2026	\$6,576.60
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$4,925.00
Total the Tenant must pay to continue the tenancy	\$1,837.60

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

Rent Owing To Hearing Date	\$5,198.94
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$4,925.00
Less the amount of the last month's rent deposit	- \$1,611.59
Less the amount of the interest on the last month's rent deposit	- \$6.21
Total amount owing to the Landlord	\$(1,157.86)
Plus, daily compensation owing for each day of occupation starting February 6, 2026	\$54.20 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	