



Order under Section 87 Residential Tenancies Act, 2006

File Number: LTB-L-080609-24

In the matter of: 45, 151 LINWELL RD
ST CATHARINES ON L2N6P3

Between: DAVID HOGG Landlord

And

KIRK WILLIAMS Former Tenant
APRIL MERCADO-WILLIAMS

DAVID HOGG (the 'Landlord') applied for an order requiring KIRK WILLIAMS and APRIL MERCADO-WILLIAMS (the 'Former Tenant') to pay the rent and daily compensation that the Former Tenant owes.

This application was heard by videoconference on February 11, 2026.

Only the Landlord's Legal Representative Kathleen Lovett attended the hearing.

As of 9:41 a.m., the Former Tenant was not present or represented at the hearing although properly served with notice of this hearing by the Landlord. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

Procedural History:

1. This application was adjourned from September 3, 2025, at the Landlord's request for service.

Determinations:

1. As explained below, the Landlord proved the allegations contained in the application on a balance of probabilities.
2. I am satisfied that the Landlord served the Former Tenant with the application and Notice of Hearing at least 30 days before the hearing in accordance with Rule 3.3 of the LTB's Rules of Procedure.
3. I am satisfied that the Landlord served the Former Tenant with the application and Notice of Hearing using a method permitted in subsection 191(1.0.1) of the *Residential Tenancies Act, 2006* (the 'Act') and Rule 3.3 of the LTB's Rules of Procedure.

4. These documents were served on September 25, 2025, by mail to 55 Pierpoint Drive, Niagara on the Lake, Ontario, L0S 1J0, which was deemed served on September 30, 2025.
5. The Former Tenant vacated the rental unit on September 23, 2024.
6. The application was filed on or about October 2, 2024, which is within one year after the Former Tenant ceased to be in possession of the rental unit.
7. The Former Tenant has not made any payments since the application was filed.
8. The Former Tenant is no longer in possession of the rental unit. The tenancy was not lawfully terminated in accordance with a notice of termination, LTB order or agreement to terminate the tenancy. Therefore, the Former Tenant's obligation to pay rent ended on September 23, 2024.
9. The rent arrears and daily compensation owing to are \$18,300.00.
10. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
14. There is no last month's rent deposit.

It is ordered that:

1. The Former Tenant shall pay to the Landlord \$18,300.00, which represents rent and compensation owing up to September 23, 2024.
2. The Former Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
3. The total amount the Former Tenant owes the Landlord is \$18,486.00*. See Schedule 1 for the calculation of the amount owing.
4. If the Former Tenant does not pay the Landlord the full amount owing on or before March 3, 2026, the Former Tenant will start to owe interest. This will be simple interest calculated from March 4, 2026, at 4.00% annually on the balance outstanding.

February 20, 2026
Date Issued

Anthony Bruno
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.

* Refer to the attached Summary of Calculations.

Schedule 1
SUMMARY OF CALCULATIONS

Amount the Former Tenant must pay the Landlord:

Rent and Compensation Owing To	\$18,300.00
Application Filing Fee	\$186.00
Total amount owing to the Landlord	\$18,486.00