



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-096793-25

In the matter of: Unit 13, 121 VICTORIA AVE S
HAMILTON ON L8N2S9

Between: 121 Victoria Inc. Landlord

And

Marcus Lanigan Tenant

121 Victoria Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Marcus Lanigan (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

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

Only the Landlord's Agent., Laura Philip attended the hearing. It is noted the Tenant was present until 2:20p.m., and then exited the proceeding without returning, and did not advise that he was exiting the proceeding.

As of 3:21p.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.

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 \$915.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$30.08. This amount is calculated as follows: \$915.00 x 12, divided by 365 days.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to February 28, 2026 are \$8,207.00.

7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. There is no last month's rent deposit.
9. 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 postpone the eviction until March 31, 2026 pursuant to subsection 83(1)(b) of the Act, as requested and submitted by the Landlord's Agent, to allow the Tenant time to secure funds/income and or find a new living arrangement.
10. I have further considered all of the disclosed circumstances in accordance with subsection 83(6) of the *Residential Tenancies Act, 2006* (the 'Act'), including whether the Landlord attempted to negotiate a repayment agreement with the Tenant, and find the Landlord did attempt to negotiate repayment of the arrears of rent. In making this finding I have considered the Landlord's Agent uncontested evidence that the Landlord reached out to the Tenant and the Tenant did not respond and in fact refused to discuss the same.
11. As the Tenant did not attend and no other circumstances were presented to me, I find it would be unfair to grant any further relief from eviction other than as ordered below.

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:**
 - \$8,393.00 if the payment is made on or before February 28, 2026. See Schedule 1 for the calculation of the amount owing.
 - or
 - \$9,308.00 if the payment is made on or before March 31, 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 March 31, 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 March 31, 2026.**
5. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$7,808.88. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.
6. The Tenant shall also pay the Landlord compensation of \$30.08 per day for the use of the unit starting February 12, 2026 until the date the Tenant moves out of the unit.

7. If the Tenant does not pay the Landlord the full amount owing on or before March 31, 2026, the Tenant will start to owe interest. This will be simple interest calculated from April 1, 2026 at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before March 31, 2026, then starting April 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. 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 April 1, 2026.

February 17, 2026
Date Issued

Panagiotis P. Roupas
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 October 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	\$8,207.00
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$8,393.00

B. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before March 31, 2026

Rent Owing To March 31, 2026	\$9,122.00
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$9,308.00

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

Rent Owing To Hearing Date	\$7,622.88
Application Filing Fee	\$186.00
Total amount owing to the Landlord	\$7,808.88
Plus daily compensation owing for each day of occupation starting February 12, 2026	\$30.08 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	