



Order under Section 69 Residential Tenancies Act, 2006

Citation: 7958838 CANADA INC v Roth, 2026 ONLTB 16344

Date: 2026-02-24

File Number: LTB-L-086303-25

In the matter of: Lower Unit, 48 Courtwright Street
Fort Erie ON L2A2R7

Between: 7958838 CANADA INC

Landlord

And

Kala Mathes

Tenant

7958838 CANADA INC (the 'Landlord') applied for an order to terminate the tenancy and evict Kala Mathes Roth (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The Landlord also applied for an order to terminate the tenancy and evict the Tenant because:

- the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year.

The Tenant said that she is now divorced, and her name is Kala Mathes. The application was accordingly amended to exclude the name "Roth".

This application was heard by videoconference on January 29, 2026.

The Landlord's agent, S. Bag and the Tenant attended the hearing.

Determinations:

1. It is undisputed that the Landlord is a corporation. It is also undisputed that the Tenant vacated the rental unit and returned the keys on December 7, 2025.
2. Consequently, the Landlord requests the consent of the Board to withdraw their L2 application.
3. I consented to the Landlord's request.
4. The Tenant was in possession of the rental unit on the date the application was filed.

5. The Tenant vacated the rental unit on December 7, 2025. Rent arrears are calculated up to the date the Tenant vacated the unit
6. The lawful rent is \$1,260.75. It was due on the 1st day of each month.
7. The Tenant has paid \$1,260.75 to the Landlord since the application was filed.
8. The rent arrears owing to December 7, 2025 are \$1,552.40.
9. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
10. The Landlord collected a rent deposit of \$1,257.41 from the Tenant and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy terminated.
11. Interest on the rent deposit, in the amount of \$51.85 is owing to the Tenant for the period from April 15, 2024 to December 7, 2025.
12. The parties agree that the Tenant shall remove all remaining garbage from the residential complex on or before February 28, 2026.

It is ordered that:

1. The Landlord's L2 application is withdrawn.
2. The tenancy between the Landlord and the Tenant is terminated as of December 7, 2025, the date the Tenant moved out of the rental unit.
3. The Tenant shall pay to the Landlord \$429.14. This amount includes rent arrears owing up to the date the Tenant moved out of the rental unit and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit is deducted from the amount owing by the Tenant. See Schedule 1 for the calculation of the amount owing.
4. If the Tenant does not pay the Landlord the full amount owing on or before March 7, 2026, the Tenant will start to owe interest. This will be simple interest calculated from March 8, 2026 at 4.00% annually on the balance outstanding.

February 24, 2026
Date Issued

Nancy Morris
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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenant must pay as the tenancy is terminated

Rent Owing To Move Out Date	\$2,813.15
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,260.75
Less the amount of the last month's rent deposit	- \$1,257.41
Less the amount of the interest on the last month's rent deposit	- \$51.85
Total amount owing to the Landlord	\$429.14