



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

File Number: LTB-L-099212-25

In the matter of: 505, 1 BRIMLEY RD
SCARBOROUGH ON M1M3H4

Between: 1 BRIMLEY APTS INC. Landlord

And

Jermaine Hamilton Tenant

1 BRIMLEY APTS INC. (the 'Landlord') applied for an order to terminate the tenancy and evict Jermaine Hamilton (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on February 17, 2026.

The Landlord's Agent, Alex Perez and the Landlord's Representative, Eric Steiman 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 \$1,256.56. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$41.31. This amount is calculated as follows: \$1,256.56 x 12, divided by 365 days.
5. The Tenant has paid \$1,714.50 to the Landlord since the application was filed.
6. The rent arrears owing to February 28, 2026, are \$6,835.66.
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. The Landlord was unaware of any circumstances that may require the Board to consider delaying or denying termination of the tenancy and sought the issuance of a standard order.
10. The Tenant did not agree with the arrears of rent being claimed by the Landlord, but he was unable to provide any evidence to support his position of the Landlord's arrears claimed to be inaccurate or fail to account for any payments made by the Tenant. The Tenant sought an extension of time beyond that of a standard order as to allow him to secure alternative housing.
11. Given the circumstances, I find it would not be unreasonable to allow the Tenant an extension to March 31, 2026, as to allow the Tenant some additional time to secure alternative housing.
12. 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.

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:**
 - \$7,021.66 if the payment is made on or before February 28, 2026. See Schedule 1 for the calculation of the amount owing.
- OR**
- \$8,278.22 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 \$6,467.37. 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 \$41.31 per day for the use of the unit starting February 18, 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 23, 2026
Date Issued

Ilan Shingait
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	\$8,550.16
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,714.50
Total the Tenant must pay to continue the tenancy	\$7,021.66

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	\$9,806.72
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,714.50
Total the Tenant must pay to continue the tenancy	\$8,278.22

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

Rent Owing to Hearing Date	\$7,995.87
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,714.50
Total amount owing to the Landlord	\$6,467.37
Plus, daily compensation owing for each day of occupation starting February 18, 2026	\$41.31 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	