



Order under Section 100 Residential Tenancies Act, 2006

Citation: 90 Eastdale Inc v Canabate, 2026 ONLTB 16778

Date: 2026-02-26

File Number: LTB-L-077288-25

In the matter of: 2301, 90 Eastdale Ave
Toronto Ontario M4C5A2

Between: 90 Eastdale Inc Landlord

And

Gerardo Canabate Tenants
Melissa Canabate

And

Unauthorized Occupant(s) Unauthorized Occupant

90 Eastdale Inc (the 'Landlord') applied for an order to terminate the tenancy of Gerardo Canabate and Melissa Canabate (the 'Tenants') and evict Unauthorized Occupant(s) (the 'Unauthorized Occupant') because the Tenants transferred occupancy of the rental unit to the Unauthorized Occupant without the Landlord's consent. The Landlord also applied for compensation by the Unauthorized Occupant for the use of the rental unit.

This application was heard by videoconference on February 19, 2026.

The Landlord's agent, S. Nasser, the Landlord's legal representative, J. Shabes, and the Tenant, G. Canabate, attended the hearing.

As of 1:30 p.m., the Unauthorized Occupant/Subtenant 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. I proceeded to hear the matter.

At the hearing, the parties consented to the following order. I was satisfied that the parties understood the consequences of their consent.

On consent, it is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated.

2. The last month's rent deposit, being held by the Landlord, shall apply to payment of the monthly rent for the month of March 2026.
3. The Tenant and/or Unauthorized Occupant shall move out of the rental unit on or before March 31, 2026.
4. If the unit is not vacated by March 31, 2026, then starting April 1, 2026, the Landlord may file this order with the Court Enforcement Office (the Sheriff), so that the eviction may be enforced.
5. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord after April 1, 2026.
6. If the Tenant and/or Unauthorized Occupant does not vacate the rental unit on or before March 31, 2026, they shall pay to the Landlord \$52.40 per day for compensation for the use of the unit from April 1, 2026 to the date they move out of the unit.
7. If the Tenant and/or Unauthorized Occupant does not vacate the rental unit on or before March 31, 2026, they shall also pay the Landlord \$201.00 for the cost of filing the application.

February 26, 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.

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.