



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

**File Number:** LTB-L-103830-25

**In the matter of:** 406, 1524 BATHURST ST  
YORK ON M5P 3H3

**Between:** Bathclair Properties Inc Landlord

**and**

Ryan Cass Tenant

Bathclair Properties Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Ryan Cass (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 representative, Robin Simpson-Mckay, and the Tenant attended the hearing.

**Determinations:**

1. The L1 applications appears to be incomplete, in that the details of the Landlord's claims from pages 8-9 are blank. The Landlord's representative requested for the application to be amended to reference the rental period of November 1, 2025, to December 31, 2025, monthly rent of \$2,521.50 x2 = \$5,043.00 as the outstanding rental arrears to the issuance of the application. The Tenant did not object, and I consented to the amendment.
2. The Notice to End Tenancy Early for Non-payment of Rent (N4 Notice) was served by email. During the hearing the Tenant confirmed that he received the N4 Notice by email on November 21, 2025. I find that the Landlord served the Tenant with a valid N4 Notice, and that 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.
3. As of the hearing date, the Tenant was still in possession of the rental unit.
4. The lawful rent is \$2,521.50. It is due on the 1st day of each month.
5. Based on the Monthly rent, the daily rent/compensation is \$82.90. This amount is calculated as follows: \$2,521.50 x 12, divided by 365 days.
6. It is not in dispute that the Tenant has not made any payments since the application was filed. The rent arrears owing to February 28, 2026, are \$10,086.00.

7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord collected a rent deposit of \$2,400.00 from the Tenant and this deposit is still being held by the Landlord. The rent deposit can only be applied to the last rental period of the tenancy if the tenancy is terminated.
9. Interest on the rent deposit, in the amount of \$19.33 is owing to the Tenant for the period from October 1, 2025, to February 17, 2026.

*Relief from Eviction*

10. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), including whether the Landlords attempted to negotiate a repayment agreement with the Tenants and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.
11. In this case, the parties were unsuccessful resolving the issue of rent arrears through a payment plan. The Landlord sought an eviction order for termination and eviction with 11 days for the Tenants to pay off all outstanding amounts and void the order.
12. The Tenant testified regarding his income and expenses. The evidence establishes that the Tenant is unable to afford the current rent, and the arrears have accumulated to \$10,086.00. The Tenant has not made any payments since the application was filed. I find that the tenancy is not viable.

**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 Board in trust:**
    - \$10,272.00 if the payment is made on or before February 28, 2026. See Schedule 1 for the calculation of the amount owing.
- OR**
- \$12,793.50 if the payment is made on or before March 10, 2026. See Schedule 1 for the calculation of the amount owing.
  3. The Tenant may also make a motion at the Board 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 10, 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 10, 2026.**

5. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$6,740.47. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit are deducted from the amount owing by the Tenant. See Schedule 1 for the calculation of the amount owing.
6. The Tenant shall also pay the Landlord compensation of \$82.90 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 10, 2026, the Tenant will start to owe interest. This will be simple interest calculated from March 11, 2026, at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before March 10, 2026, then starting March 11, 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 March 11, 2026.

**February 27, 2026**

**Date Issued**

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Adeela Alvez

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 September 11, 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                          | \$10,086.00        |
| Application Filing Fee                                   | \$186.00           |
| <b>Total the Tenant must pay to continue the tenancy</b> | <b>\$10,272.00</b> |

**B. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before March 10, 2026**

|                                                          |                    |
|----------------------------------------------------------|--------------------|
| Rent Owing to March 31, 2026                             | \$12,607.50        |
| Application Filing Fee                                   | \$186.00           |
| <b>Total the Tenant must pay to continue the tenancy</b> | <b>\$12,793.50</b> |

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

|                                                                                                                     |                      |
|---------------------------------------------------------------------------------------------------------------------|----------------------|
| Rent Owing to Hearing Date                                                                                          | \$8,973.80           |
| Application Filing Fee                                                                                              | \$186.00             |
| <b>Less</b> the amount of the last month's rent deposit                                                             | - \$2,400.00         |
| <b>Less</b> the amount of the interest on the last month's rent deposit                                             | - \$19.33            |
| <b>Total amount owing to the Landlord</b>                                                                           | <b>\$6,740.47</b>    |
| Plus, daily compensation owing for each day of occupation starting February 18, 2026                                | \$82.90<br>(per day) |
| **Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00. |                      |