



Order under Section 69 Residential Tenancies Act, 2006

Citation: SKPM RENTS 2 v GAPCO, 2026 ONLTB 17996

Date: 2026-03-05

File Number: LTB-L-103268-25

In the matter of: 538, 35 ST DENNIS DR
NORTH YORK ON M3C1G9

Between: SKPM RENTS 2 Landlord

And

PATRIK GAPCO Tenants
SARLOTA CONKOVA

SKPM RENTS 2 (the 'Landlord') applied for an order to terminate the tenancy and evict PATRIK GAPCO and SARLOTA CONKOVA (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on February 24, 2026. The Landlord's Legal Representative, Sharon Harris, and the first-named 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 \$1,706.89. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$56.12. This amount is calculated as follows: \$1,706.89 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 \$6,761.11.
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 \$1,663.21 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 \$5.26 is owing to the Tenant for the period from January 1, 2026 to February 24, 2026.
10. 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. The Landlord seeks a standard order, that is, an order which can be enforced 11 days after its issuance stating that this was the fourth application before the Board since 2021.
11. The tenancy began in 2019. The Tenant lives alone in the rental unit. However, he has a couple of friends he hopes to move into the rental unit with him to share expenses. He has applied to the rent bank but has not heard back from them at this time. He is currently collecting social assistance, but this amount is well below the amount required to pay his rent. He has his own business, but he says business has been weak recently.
12. I am not persuaded that this tenancy is viable. The Tenant is collecting a small amount from social assistance which is well below the amount needed to pay the rent. Although he has some friends who he believes can move in, those individuals are not in Canada at this time. As well, he has no confirmation from the rent bank that they can assist him with paying his ongoing rent.
13. However, I find a short extension to terminate the tenancy on March 31, 2026 is appropriate in the circumstances. The Landlord has a last months' rent deposit on file which can be used to offset the rent due for the month of March. Further, the tenancy is relatively lengthy, and the Tenant is of modest means. I find the prejudice to the Landlord is minimal.

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:**
 - \$8,654.00 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 \$4,918.63. 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 \$56.12 per day for the use of the unit starting February 25, 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.

March 5, 2026
Date Issued

Jane Dean
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 March 31, 2026

Rent Owing To March 31, 2026	\$8,468.00
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$8,654.00

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

Rent Owing To Hearing Date	\$6,401.10
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,663.21
Less the amount of the interest on the last month's rent deposit	- \$5.26
Total amount owing to the Landlord	\$4,918.63
Plus daily compensation owing for each day of occupation starting February 25, 2026	\$56.12 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	