



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

File Number: LTB-L-014401-24

In the matter of: 1U, 1 KINGSWOOD RD
TORONTO ON M4E3N4

Between: 1 Kingswood Road Ltd Landlord

And

Mary Weber Tenant

1 Kingswood Road Ltd (the 'Landlord') applied for an order to terminate the tenancy and evict Mary Weber (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on February 12, 2026.

The Landlord's agent Allan White, the Tenant's Legal Representative David Ciobotaru and the Tenant attended the hearing. Alex Perez attended as a witness for the Landlord.

The parties before the LTB consented to the following order.

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 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 \$2,584.54. It is due on the 1st day of each month.
4. Based on the monthly rent, the daily rent/compensation is \$84.97. This amount is calculated as follows: $\$2,584.54 \times 12$, divided by 365 days.
5. The Tenant has paid \$46,458.27 to the Landlord since the application was filed.
6. The rent arrears owing to February 28, 2026 are \$24,784.80.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Tenant objected to paying the filing fee, asserting that the Landlord's conduct throughout the tenancy has been unlawful, as alleged in the Tenant's own applications.

9. The award of costs is discretionary. In this case, I find that it is appropriate for the Board to exercise its discretion to award the application filing fee.
10. The Tenant does not dispute she owes arrears of rent which have not been paid in full as of the date of the hearing. This is not a case where the Tenant attempted to pay rent but the Landlord did not accept it. In other words, there is no evidence that the Landlord acted improperly when trying to collect arrears which would support refusing the filing fee. The Tenant acknowledged she was withholding the rent due to the Landlord's purported non-compliance with their obligations under the *Residential Tenancies Act, 2006*.
11. The Landlord collected a rent deposit of \$2,584.54 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. There is no interest on the rent deposit owing.
12. The parties agree to a standard conditional order in the form of a payment plan as set out below, pursuant to subsections 83(1)(a) and 204(1) of the Act.

It is ordered on consent that:

1. The Tenant shall pay to the Landlord \$24,970.80 for arrears of rent up to February 28, 2026 and costs.
2. The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:
 - (a) \$100.00 on or before the 1st of every month for 12 consecutive months starting March 20, 2026 and ending on February 20, 2027, and
 - (b) a final lump sum of \$23,770.80 on or before March 20, 2027.
3. The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period March 1, 2026 to May 1, 2027, or until the arrears are paid in full, whichever date is earliest.
4. If the Tenant fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing.
5. If the Tenant fails to make any one of the payments in accordance with this order, the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after February 28, 2026.

March 2, 2026
Date Issued

Elle Venhola
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.