



Order under Section 69 Residential Tenancies Act, 2006

Citation: 1620722 ONTARIO INC. v EUSOYA, 2026 ONLTB 18125

Date: 2026-03-03

File Number: LTB-L-106024-25

In the matter of: 9, 2126 VICTORIA PARK AVE
TORONTO ON M8Y1K6

Between: 1620722 ONTARIO INC. Landlord

And

JESSE EUSOYA Tenant
MARY JANE EUSOYA

1620722 ONTARIO INC. (the 'Landlord') applied for an order to terminate the tenancy and evict JESSE EUSOYA and MARY JANE EUSOYA (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, Demetrios Maragos, 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 \$1,116.38. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$36.70. This amount is calculated as follows: \$1,116.38 x 12, divided by 365 days.
5. The Tenant has paid \$6,726.20 to the Landlord since the application was filed.
6. The rent arrears owing to February 28, 2026, are \$1,088.46.
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. 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 20, 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 citing that the parties had been before the Board on at least one prior occasion and that the Tenant avoided eviction by Sheriff's enforcement.
10. When I reviewed the file history between the parties, I find an order of the Board, LTB-L-015826-24-RV, issued February 5, 2025. The order did not reference that the Tenant made a motion to the Board pursuant to s.74(11) of the Act. Rather, the order dismissed the Landlord's application at paragraph 3. Therefore, I can find no reason to refuse to grant a voidable termination in this order.
11. The Tenant submits all of the rental arrears owing to the Landlord can be paid by March 14, 2025. He is 67 years old and has been living in the rental unit since 2007. Although he earns a steady income, he had some financial difficulties recently as a result of a family illness and separation from his wife.
12. Given the Tenant is confident he can pay the arrears by the 14 of March 2025, I am of the view a short postponement of the eviction date to March 20, 2026, is appropriate in the circumstances. The tenancy is long-term, and the Tenant appears to have the financial stability to continue to pay his rent going forwards. The Landlord is a corporation with 12 units. I find the prejudice to the Landlord to be minimal in extending the termination date by one week.

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:**
 - \$2,390.84 if the payment is made on or before March 20, 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 20, 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 20, 2026.**
5. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$1,038.88. 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 \$36.70 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 20, 2026, the Tenant will start to owe interest. This will be simple interest calculated from March 21, 2026, at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before March 20, 2026, then starting March 21, 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 21, 2026.

March 3, 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 September 21, 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 20, 2026

Rent Owing To March 31, 2026	\$8,931.04
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$6,726.20
Total the Tenant must pay to continue the tenancy	\$2,390.84

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

Rent Owing To Hearing Date	\$7,579.08
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$6,726.20
Total amount owing to the Landlord	\$1,038.88
Plus daily compensation owing for each day of occupation starting February 25, 2026	\$36.70 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	