



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

File Number: LTB-L-067173-25

In the matter of: 80 SETTLERS RD E
OAKVILLE ON L6H0Y8

Between: Elena Liliana Baciuc Landlord
Cristian Horia Baciuc

And

Usman Akbar Tenant

Elena Liliana Baciuc and Cristian Horia Baciuc (the 'Landlord') applied for an order to terminate the tenancy and evict Usman Akbar (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on February 23, 2026.

The Landlord Elena Liliana Baciuc, Landlord's legal representative Damian Cordaie, and the 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 \$4,055.00. It is due on the 10th day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$133.32. This amount is calculated as follows: \$4,055.00 x 12, divided by 365 days.
5. The Tenant has paid \$4,000.00 to the Landlord since the application was filed.
6. The rent arrears owing to March 9, 2026 are \$32,495.00. This amount was not in dispute.
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 \$4,000.00 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 \$166.74 is owing to the Tenant for the period from May 10, 2024 to February 23, 2026.

Relief from eviction

10. The Landlord seeks a standard order based on the amount of arrears owing.
11. The Tenant requests a three-month payment plan. He testified that he was previously unemployed due to a layoff but has since returned to work, earning approximately \$25,000.00 gross per month. He submits that he can pay the monthly rent of \$4,000.00 plus \$10,893.67 toward the arrears for each of the next three months. The Tenant resides in the rental unit with his spouse and their two children, aged 10 and 8.
12. I have considered all of the circumstances disclosed, in accordance with subsection 83(2) of the *Residential Tenancies Act*, 2006 (the "Act"). I find that it would be unfair to grant relief from eviction under subsection 83(1). My conclusion is based on the significant arrears and the Tenant's failure to provide documentation supporting his stated income. Given his evidence that he can pay approximately \$15,000.00 per month over the next three months, I would have expected corroborating financial records. On a balance of probabilities, I am not satisfied that the proposed payment plan is reasonable.

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:**
 - \$32,681.00 if the payment is made on or before March 9, 2026. See Schedule 1 for the calculation of the amount owing.

OR

 - \$36,736.00 if the payment is made on or before March 14, 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 14, 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 14, 2026.**

5. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$26,325.74. 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 \$133.32 per day for the use of the unit starting February 24, 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 14, 2026, the Tenant will start to owe interest. This will be simple interest calculated from March 15, 2026 at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before March 14, 2026, then starting March 15, 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 15, 2026.4

March 3, 2026
Date Issued

Brett Lockwood
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 15, 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 9, 2026

Rent Owing To March 9, 2026	\$36,495.00
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$4,000.00
Total the Tenant must pay to continue the tenancy	\$32,681.00

B. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before March 14, 2026

Rent Owing To April 9, 2026	\$40,550.00
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$4,000.00
Total the Tenant must pay to continue the tenancy	\$36,736.00

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

Rent Owing To Hearing Date	\$34,306.48
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$4,000.00
Less the amount of the last month's rent deposit	- \$4,000.00
Less the amount of the interest on the last month's rent deposit	- \$166.74
Total amount owing to the Landlord	\$26,325.74
Plus daily compensation owing for each day of occupation starting February 24, 2026	\$133.32 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	