



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

File Number: LTB-L-105080-25

In the matter of: 1104, 361 THE WEST MALL
ETOBICOKE ON M9C1E8

Between: WESTMALL INVESTMENTS Landlord

And

ELINA TATIANA CAMPOS Tenant

WESTMALL INVESTMENTS (the 'Landlord') applied for an order to terminate the tenancy and evict ELINA TATIANA CAMPOS (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on February 24, 2026.

Only the Landlord's Agent, Charles Berman, attended the hearing.

As of 1:22 p.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

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 \$1,580.22. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$51.95. This amount is calculated as follows: \$1,580.22 x 12, divided by 365 days.
5. The Tenant has paid \$4,891.50 to the Landlord since the application was filed.

6. The rent arrears owing to February 28, 2026, are \$660.54.
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 \$1,450.00 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 \$140.92 is owing to the Tenant for the period from September 1, 2021 to February 24, 2026.

Relief from eviction:

10. The Landlord's Legal Representative seeks a standard order with a delayed eviction for 30 days as they hope the Tenant will satisfy all the outstanding arrears by that time in order to preserve the tenancy.
11. We 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 grant relief from eviction subject to the conditions set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act.
12. The Tenant has shown that they are able to pay off the arrears as they have paid a significant amount of arrears since the filing of the application, leaving the amount outstanding to approximately half of one month's rent. We also find that any prejudice to the Landlord will be alleviated through the inclusion of section 78 in the order, in the event that the Tenant breaches the repayment conditions in this order.

It is ordered that:

1. The Tenant shall pay to the Landlord the amount of \$846.54 which represents the arrears of rent and costs outstanding for the period ending February 28, 2026.
2. The Landlord's application for eviction of the Tenant is denied on the condition that:
 - The Tenant shall pay to the Landlord in respect of the monies owing under paragraph 1 of this order:
 - \$846.54 on or before March 31, 2026.
 - The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the month of March 2026, or until the arrears are paid in full, whichever date is earliest.
3. 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 and 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 6, 2026
Date Issued

Farzana Kanji
Member, Landlord and Tenant Board

Heather Chapple
Vice-Chair, 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.