



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

**Citation:** Perez v Constantino, 2026 ONLTB 21779

**Date:** 2026-03-16

**File Number:** LTB-L-095082-25

**In the matter of:** 2, 92 NICKEL ST  
PORT COLBORNE ON L3K1B4

**Between:** Jacob Perez  
Shawn Rea  
Landlords

**And**

Sheri Constantino  
Tenant

Jacob Perez and Shawn Rea (the 'Landlords') applied for an order to terminate the tenancy and evict Sheri Constantino (the 'Tenants') because the Tenants did not pay the rent that the Tenant owes.

The Landlords also applied for an order to terminate the tenancy and evict the Tenant because the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlords or another tenant.

This application was heard by videoconference on March 10, 2026.

Only the Landlords' legal representative, J. Struthers, attended the hearing.

As of 10:00 a.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 Landlords' evidence.

### **Determinations:**

1. The Landlords sought the consent of the Board to withdraw their L2 application.
2. I consented to the Landlords' request.
3. The Landlords 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.

4. As of the hearing date, the Tenant was still in possession of the rental unit.
5. The lawful rent is \$1,286.46. It is due on the 1st day of each month.
6. Based on the Monthly rent, the daily rent/compensation is \$42.29. This amount is calculated as follows:  $\$1,286.46 \times 12$ , divided by 365 days.
7. The Tenant has not made any payments since the application was filed.
8. The rent arrears owing to March 31, 2026 are \$6,689.38.
9. The Landlords incurred costs of \$186.00 for filing the application and they are entitled to reimbursement of those costs.
10. There is no last month's rent deposit.
11. The Landlords are seeking a standard termination order.
12. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), including whether the Landlords attempted to negotiate a repayment agreement with the Tenant, and I find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act for the following reasons. The Landlords have sent multiple communications to the Tenant to discuss repayment, and they have followed up with the Tenant, and the Tenant has failed to respond. The Tenant did not attend the hearing to discuss any reason to deny or delay eviction. The Tenant has paid nothing at all to the Landlords for 4 months, and I find that it is prejudicial to the Landlords for the tenancy to continue.

**It is ordered that:**

1. The Landlords' L2 application is withdrawn.
2. The tenancy between the Landlords and the Tenant is terminated unless the Tenant voids this order.
3. **The Tenant may void this order and continue the tenancy by paying to the Landlords or to the LTB in trust:**
  - \$6,875.38 if the payment is made on or before March 27, 2026. See Schedule 1 for the calculation of the amount owing.
4. 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 27, 2026 but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenant may only make this motion once during the tenancy.
5. **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 27, 2026.**
6. If the Tenant does not void the order, the Tenant shall pay to the Landlords \$6,011.82. 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.

7. The Tenant shall also pay the Landlords compensation of \$42.29 per day for the use of the unit starting March 11, 2026 until the date the Tenant moves out of the unit.
8. If the Tenant does not pay the Landlords the full amount owing on or before March 27, 2026, the Tenant will start to owe interest. This will be simple interest calculated from March 28, 2026 at 4.00% annually on the balance outstanding.
9. If the unit is not vacated on or before March 27, 2026, then starting March 28, 2026, the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
10. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlords on or after March 28, 2026.

**March 16, 2026**  
**Date Issued**

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Nancy Morris  
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 28, 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 27, 2026**

|                                                          |                   |
|----------------------------------------------------------|-------------------|
| Rent Owing To March 31, 2026                             | \$6,689.38        |
| Application Filing Fee                                   | \$186.00          |
| <b>Total the Tenant must pay to continue the tenancy</b> | <b>\$6,875.38</b> |

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

|                                                                                                                     |                      |
|---------------------------------------------------------------------------------------------------------------------|----------------------|
| Rent Owing To Hearing Date                                                                                          | \$5,825.82           |
| Application Filing Fee                                                                                              | \$186.00             |
| <b>Total amount owing to the Landlords</b>                                                                          | <b>\$6,011.82</b>    |
| Plus daily compensation owing for each day of occupation starting March 11, 2026                                    | \$42.29<br>(per day) |
| **Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00. |                      |