



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

File Number: LTB-L-000696-26

In the matter of: MAIN FLOOR, 104 LESLIE ST
TORONTO ON M4M3C7

Between: 2468208 Ontario Inc. Landlord

And

Danielle Lee Tenants
David Robitaille

2468208 Ontario Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Danielle Lee and David Robitaille (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on March 11, 2026.

The Landlord's Representative, A. Mehrabian, and the Tenants attended the hearing.

Preliminary Issue:

1. The Tenants' request to remove David Robitaille (DR) as named party is denied for the following reasons.
2. DR testified that when his daughter, Danielle Lee (DL), wanted to rent the rental unit, the Landlord insisted that DR be added as a Tenant. DR has never lived at the rental unit, and he has a home in Markham that he occupies with his wife. DR did sign the lease as a Tenant. DR testified that he served the Landlord with an N9 form to end his tenancy.
3. The Landlord objects to removing DR's name and that DR signed the lease agreement as a Tenant and not as a guarantor. The Landlord vetted the Tenants based on their income and only DL as a Tenant would not have qualified for the rental unit. The Landlord does not agree to sever the tenancy.
4. In a joint tenancy, there is a single tenancy agreement, and the tenants are jointly and severally (individually) liable for the payment of the entire rent for the rental unit. A joint tenancy can only be severed if all parties agree. There is no evidence before me indicating the parties agreed to break the joint tenancy and transfer the tenancy to a single tenant. Accordingly, it would not be appropriate to remove DR as a named tenant.

Determinations:

1. The Landlord served the Tenants with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenants 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. The Tenants were in possession of the rental unit on the date the application was filed.
3. The Tenants vacated the rental unit on February 27, 2026. Rent arrears are calculated up to the date the Tenants vacated the unit
4. The lawful rent is \$2,400.00. It was due on the 1st day of each month.
5. The Tenants have not made any payments since the application was filed.
6. The parties agree that the rent arrears owing to February 27, 2026, are \$9,330.30.
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 \$2,400.00 from the Tenants and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy terminated.
9. Interest on the rent deposit, in the amount of \$110.26 is owing to the Tenants for the period from March 1, 2024 to February 27, 2026.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated as of February 27, 2026, the date the Tenants moved out of the rental unit.
2. The Tenants shall pay to the Landlord \$7,006.04. This amount includes rent arrears owing up to the date the Tenants moved out of the rental unit and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit is deducted from the amount owing by the Tenants. See Schedule 1 for the calculation of the amount owing.
3. If the Tenants do not pay the Landlord the full amount owing on or before March 29, 2026, the Tenants will start to owe interest. This will be simple interest calculated from March 30, 2026 at 4.00% annually on the balance outstanding.

March 18, 2026
Date Issued

Sheena Brar
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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenants must pay as the tenancy is terminated

Rent Owing to Move Out Date	\$9,330.30
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$2,400.00
Less the amount of the interest on the last month's rent deposit	- \$110.26
Total amount owing to the Landlord	\$7,006.04