



Order under Section 69 Residential Tenancies Act, 2006

Citation: 1670195 Ontario Corporation v Humphrey, 2026 ONLTB 20212

Date: 2026-03-24

File Number: LTB-L-107594-25

In the matter of: 7, 24493 ST CLAIR RD
CHATHAM ON N7M5J2

Between: 1670195 Ontario Corporation Landlord

And

David Humphrey Tenant

1670195 Ontario Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict David Humphrey (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on March 3, 2026.

Only Qi Zhang, owner of the corporation, and the Landlord's representative, Audrey Skinner, 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) on December 7, 2025. 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. The Tenant was in possession of the rental unit on the date the application was filed on December 22, 2025.
3. The Landlord's representative stated that they became aware the Tenant passed away on February 27, 2026. The Tenant was the only tenant on the lease agreement.
4. Subsection 91(1) of the *Residential Tenancies Act, 2006* (the 'Act') states that "if a tenant of a rental unit dies and there are no other tenants of the rental unit, the tenancy shall be deemed to be terminated 30 days after the death of the tenant." In this case, the tenancy would be deemed terminated on March 26, 2026. The Landlord, however, only seeks rent owing up to February 27, 2026.

5. The lawful rent is \$1,500.00. It was due on the first day of each month.
6. No payments have been made since the application was filed.
7. The rent arrears owing to February 27, 2026 are \$4,500.00
8. The Landlord collected a rent deposit of \$1,500.00 from the Tenant and this deposit is still being held by the Landlord. The rent deposit shall be applied to the arrears of rent because the tenancy terminated.
9. The Landlord incurred costs of \$186.00 for the application filing fee and is entitled to reimbursement of these costs.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of March 26, 2026 in accordance with subsection 91(1) of the *Residential Tenancies Act, 2006*.
2. The Estate of David Humphrey shall pay to the Landlord \$3,186.00, which represents the amount of rent owing up to February 27, 2026 and the application filing fee less the last month's rent deposit.
3. If the Estate of David Humphrey does not pay the Landlord the full amount owing of on or before April 4, 2026, the Estate of David Humphrey will start to owe interest. This will be simple interest calculated from April 5, 2026 at 4.00% annually on the balance outstanding.

March 24, 2026
Date Issued

Vanessa Davies
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 Estate of David Humphrey must pay as the tenancy is terminated

Rent Owing to Date Tenancy terminated, February 27, 2026	\$4,500.00
Application filing fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,500.00
Total amount owing to the Landlord	\$3,186.00