



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-001418-26

In the matter of: 2 BENOIT ST
VAUGHAN ON L4H4R7

Between: IVAN LAM Landlords
CONSTANCE LAM

And

ETHEL REGIO Tenants
MARVIN SOOKSABAI

IVAN LAM and CONSTANCE LAM (the 'Landlords') applied for an order to terminate the tenancy and evict ETHEL REGIO and MARVIN SOOKSABAI (the 'Tenants') because:

- the Tenants did not pay the rent that the Tenants owe (L1 Application); and
- the Tenants has been persistently late in paying the Tenants' rent; (L2 Application).

This application was heard by videoconference on March 18, 2026.

Only the Landlord, Ivan Lam and the Landlords' Legal Representative, Daniel Greanya attended the hearing.

As of 9:48 a.m., the Tenants were 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:

L1 Application – Non-Payment of Rent

1. The Landlords 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. As of the hearing date, the Tenants were still in possession of the rental unit.
3. The lawful rent is \$3,700.00. It is due on the 1st day of each month.

4. Based on the Monthly rent, the daily rent/compensation is \$121.64. This amount is calculated as follows: $\$3,700.00 \times 12$, divided by 365 days.
5. The Tenants have not made any payments since the application was filed.
6. The rent arrears owing to April 7, 2026 are \$24,751.48.
7. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlords collected a rent deposit of \$3,200.00 from the Tenants and this deposit is still being held by the Landlords. 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 \$303.99 is owing to the Tenants for the period from October 31, 2021 to March 18, 2026.

L2 Application – Persistent Late Payment of Rent

10. The Tenants have persistently failed to pay the rent on the date it was due. The rent is due on the 1st day of each month. The rent has been paid late 10 times in the past 16 months.
11. The Tenants have failed to pay any additional rent after the notice was served.

Relief from Eviction

12. I 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.
13. The Landlords sought that in the event the Tenants void the L1 portion of this application, that an order be issued granting relief from eviction in the form of a pay on time order on the L2 portion of this application for a period of 12 months. I find that it would not be unfair to grant the relief sought by the Landlords.

It is ordered that:

L1 Application – Non-Payment of Rent

1. The tenancy between the Landlords and the Tenants is terminated unless the Tenants void this order.
2. **The Tenants may void this order and continue the tenancy by paying to the Landlords or to the LTB in trust:**
 - \$24,937.48 if the payment is made on or before April 6, 2026. See Schedule 1 for the calculation of the amount owing.
3. The Tenants may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenants have paid the full amount owing as ordered plus any additional rent

that became due after April 6, 2026 but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenants may only make this motion once during the tenancy.

4. **If the Tenants do not pay the amount required to void this order the Tenants must move out of the rental unit on or before April 6, 2026.**
5. If the Tenants do not void the order, the Tenants shall pay to the Landlords \$19,000.69. 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 Landlords owe on the rent deposit are deducted from the amount owing by the Tenants. See Schedule 1 for the calculation of the amount owing.
6. The Tenants shall also pay the Landlords compensation of \$121.64 per day for the use of the unit starting March 19, 2026 until the date the Tenants move out of the unit.
7. If the Tenants do not pay the Landlords the full amount owing on or before April 6, 2026, the Tenants will start to owe interest. This will be simple interest calculated from April 7, 2026 at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before April 6, 2026, then starting April 7, 2026, the Landlords 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 Landlords on or after April 7, 2026.

L2 Application – Persistent Late Payment of Rent

10. If the Tenants void the L1 portion of the order in accordance with paragraph two above, the tenancy shall continue on the following terms.
11. The Tenants shall pay the Landlords the monthly rent due on or before the first day of the month for the period April 1, 2026 to March 31, 2026.
12. If the Tenants fail to make any of the payments in paragraph 11 above, the Landlords may apply under section 78 of the Act, within 30 days of the breach and without notice to the Tenants, for an order terminating the tenancy and evicting the Tenants.

March 26, 2026
Date Issued

Christopher Lin
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 of the Tenants expires on October 7, 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 Tenants must pay to void the eviction order and continue the tenancy if the payment is made on or before April 6, 2026

Rent Owing To April 7, 2026	\$24,751.48
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenants paid to the Landlords since the application was filed	- \$0.00
Less the amount the Tenants paid into the LTB since the application was filed	- \$0.00
Less the amount the Landlords owe the Tenants for an {abatement/rebate}	- \$0.00
Less the amount of the credit that the Tenants are entitled to	- \$0.00
Total the Tenants must pay to continue the tenancy	\$24,937.48

B. Amount the Tenants must pay if the tenancy is terminated

Rent Owing To Hearing Date	\$22,318.68
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Tenants paid to the Landlords since the application was filed	- \$0.00
Less the amount the Tenants paid into the LTB since the application was filed	- \$0.00
Less the amount of the last month's rent deposit	- \$3,200.00
Less the amount of the interest on the last month's rent deposit	- \$303.99
Less the amount the Landlords owe the Tenants for an {abatement/rebate}	- \$0.00
Less the amount of the credit that the Tenants are entitled to	- \$0.00
Total amount owing to the Landlords	\$19,000.69
Plus daily compensation owing for each day of occupation starting March 19, 2026	\$121.64 (per day)