



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-000850-26

In the matter of: 124, 7280 DARCEL AVE
MISSISSAUGA ON L4T 3T7

Between: MetCap Living Management Inc. Landlord

and

Mathew Garner Tenant

MetCap Living Management Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Mathew Garner (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on March 19, 2026.

Only the Landlord's legal representative Krizia Hernandez and the Tenant, and the Tenant's support person Kaleigh Garner attended the hearing.

Determinations:

1. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the notice or before the day 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 \$1,379.50. It is due on the 1st day of each month.
4. The Tenant agreed that arrears owing to March 31, 2026 are \$5,517.28 but requested relief based on his circumstances which include the fact that both he and his spouse experienced a temporary job loss. The Tenant detailed the family's finances in evidence and submitted he had the means to clear the outstanding arrears and costs in six monthly installments.
5. The Landlord's circumstances include the fact that it has received no rent since December 2025 and has an obligation to its shareholders to minimize its losses. I share the Landlord skepticism about the Tenant's plan because he filed no confirmation of the fact that he and his spouse have recently rejoined the workforce. Still, I have determined it would not be unfair to allow this family to preserve their 8-year tenancy by adhering to the commitment they have made, in default whereof the Landlord can seek immediate eviction without further notice to the Tenant
6. 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.

7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The Tenant shall pay to the Landlord \$5,703.30 for arrears of rent up to March 31, 2026, and costs.
2. The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:

Date of Payment	Payment Amount
April 1, 2026	\$950.55 (Arrears and costs)
May 1, 2026	\$950.55 (Arrears)
June 1, 2026	\$950.55 (Arrears)
July 1, 2026	\$950.55 (Arrears)
August 1, 2026	\$950.55 (Arrears)
September 1, 2026	\$950.55 (Arrears)

3. The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period April 1, 2026, to September 1, 2026, or until the arrears are paid in full, whichever date is earliest.
4. 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 March 31, 2026.

March 27, 2026
Date Issued

Nersi Makki
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.