



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-098001-25

In the matter of: 1008, 1297 MARLBOROUGH CRT
OAKVILLE ON L6H2S1

Between: Capreit Limited Partnership Landlord

And

Pietro Manchisi Tenant

Capreit Limited Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Pietro Manchisi (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on February 17, 2026.

The Landlord's legal representative, Jason Paine and the Tenant 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). 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. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$2,480.50. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$81.55. This amount is calculated as follows: \$2,480.50 x 12, divided by 365 days.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to February 28, 2026 are \$19,143.08.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. There is no last month's rent deposit.

Relief from eviction

9. The Landlord requested a standard 11-day eviction order, submitting that the Tenant has made no payments since the application was filed and that the arrears are substantial.
10. The Tenant did not dispute the amount of arrears owed. He testified that he was incarcerated from August 5, 2025, to February 3, 2026, and experiences medical issues, including anxiety attacks, related to multiple personal losses since 2021. The Tenant stated that, due to his incarceration, he was unable to make any payments toward the arrears or ongoing rent.
11. The Tenant expressed a desire to preserve the tenancy and indicated that he is attempting to stabilize his circumstances.
12. The Tenant testified that he is currently laid off from his employment as a bricklayer due to the seasonal nature of the work. He further stated that he had been receiving Employment Insurance (EI) benefits prior to his incarceration; however, his claim was closed when he was unable to submit the required documentation. The Tenant advised that he has filed an appeal with Service Canada to reinstate his claim and expects to resume receiving EI benefits in the near future, with an anticipated monthly income of approximately \$3,000.00.
13. The Tenant also stated that he has a friend that will be moving into the rental unit to assist him financially, however that was not confirmed at the hearing.
14. In the absence of any payments to date, a confirmed source of income, or a viable repayment plan, I am not satisfied that the tenancy can be sustained. The Landlord has experienced ongoing prejudice due to the accumulation of significant arrears without any reduction.
15. At the hearing, I advised the parties that, in light of the Tenant's circumstances, I would consider affording the Tenant additional time to address his financial situation. Given the issuance date of this Order, the Tenant has effectively been provided with more than 30 days to do so. Having considered all of the evidence and the circumstances of both parties, I am satisfied that it would not be unfair to grant the eviction order.
16. 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 Landlord attempted to negotiate a repayment agreement with the Tenant and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated unless the Tenant voids this order.
2. **The Tenant may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**

- \$24,290.08 if the payment is made on or before April 13, 2026. See Schedule 1 for the calculation of the amount owing.
3. 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 April 13, 2026 but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenant may only make this motion once during the tenancy.
 4. **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 April 13, 2026.**
 5. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$18,234.93. 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.
 6. The Tenant shall also pay the Landlord compensation of \$81.55 per day for the use of the unit starting February 18, 2026 until the date the Tenant moves out of the unit.
 7. If the Tenant does not pay the Landlord the full amount owing on or before April 13, 2026, the Tenant will start to owe interest. This will be simple interest calculated from April 14, 2026 at 4.00% annually on the balance outstanding.
 8. If the unit is not vacated on or before April 13, 2026, then starting April 14, 2026, the Landlord 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 Landlord on or after April 14, 2026.

April 2, 2026
Date Issued

Christina Philp
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 October 14, 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 April 13, 2026

Rent Owing To April 30, 2026	\$24,104.08
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$24,290.08

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

Rent Owing To Hearing Date	\$18,048.93
Application Filing Fee	\$186.00
Total amount owing to the Landlord	\$18,234.93
Plus daily compensation owing for each day of occupation starting February 18, 2026	\$81.55 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	