



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-007387-26

In the matter of: 2ND FLR, 599 DUFFERIN ST
TORONTO ON M6K2B1

Between: 599 Dufferin Holdings Inc. Landlord

And

Myles Queale Tenants
Justin Pinho

599 Dufferin Holdings Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Myles Queale and Justin Pinho (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).

The Landlord also claimed compensation for each day the Tenants remained in the unit after the termination date.

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

Only the Landlord's legal representative, Terry Ramjit, and the Landlord's agent, Jose Nieves, attended the hearing.

As of 9:38 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 Landlord's evidence. The Tenants did not sign in for the duration of the hearing block.

Determinations:

L1 Application – Non-Payment of Rent

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. As of the hearing date, the Tenants were still in possession of the rental unit.
3. The lawful rent is \$2,500.00. It is due on the 15th day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$82.19. This amount is calculated as follows: $\$2,500.00 \times 12$, divided by 365 days.
5. The Tenants have not made any payments since the application was filed.
6. The rent arrears owing to April 14, 2026 are \$22,500.00.
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 \$2,500.00 from the Tenants and this deposit is still being held by the Landlord. 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 \$53.22 is owing to the Tenants for the period from March 15, 2025 to March 19, 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 15th day of each month. The rent was paid late in each of the four months prior to the N8 notice and was not paid on time in either of the two months since.

Relief from Eviction

11. 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 be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act. The Tenants did not attend the hearing to explain their circumstances or request relief.

It is ordered that:

1. Pursuant to the L2 Application, the tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before April 13, 2026.
2. The Tenants shall pay the Landlord any rent arrears owing up to the date of the hearing and the cost of filing the application. The amount of the rent deposit and interest the Landlord owes on the rent deposit are deducted from the amount owing by the Tenants.
3. As of the date of the hearing, the Tenants owes the Landlord \$18,043.73. See Schedule 1 for the calculation of the amount owing.
4. The Tenants shall also pay the Landlord compensation of \$82.19 per day for the use of the unit starting March 20, 2026 to the date the Tenants move out of the unit.

5. If the Tenants do not pay the Landlord the full amount owing on or before April 13, 2026, the Tenants will start to owe interest. This will be simple interest calculated from April 14, 2026 at 4.00% annually on the balance outstanding.
6. 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.
7. 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

Dawn Carr
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 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 Tenants must pay as the tenancy is terminated

Rent Owing To March 19, 2026	\$20,410.95
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	-\$2,500.00
Less the amount of the interest on the last month's rent deposit	-\$53.22
Total amount owing to the Landlord	\$18,043.73
Plus daily compensation owing for each day of occupation starting March 20, 2026	\$82.19 (per day)