



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-003550-26-HR

In the matter of: 10, 28 RIVERSIDE DR
KAPUSKASING, ON P5N1A3

Between: OUELLETTE ASSET MANAGEMENT CORP. Landlord

and

CHRIS MARTEN Tenant

HEARING ORDER

OUELLETTE ASSET MANAGEMENT CORP. (the 'Landlord') applied in a L1 application seeking an order to terminate the tenancy and evict CHRIS MARTEN (the 'Tenant') because the Landlord claimed that the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on March 18, 2026. Only the Landlord's agent Kristen Walker (manager) attended the hearing.

As of 1:47pm (the hearing was scheduled to start at 1pm), the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. The LTB served the notice of hearing to the Tenant by mail to the rental unit address on February 13, 2026, which was deemed served February 18, 2026. There was no record of a request to adjourn or reschedule the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. I am satisfied from the Certificate of Service that 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 monthly rent was \$504.00 when the N4 Notice was served. Monthly rent increased to \$514.58 on January 1, 2026, and this is the current monthly rent. It is due on the first (1st) day of each month.
4. Based on the current monthly rent, the daily rent/compensation is \$16.92. This amount is calculated as follows: \$514.58 x 12 months, divided by 365 days.

5. The Tenant paid \$1,650.00 since the application was filed (\$950.00 on February 2, 2026 and \$700.00 on March 3, 2026).
6. The current rent arrears owing up to March 31, 2026 are \$395.74.
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.
9. The Landlord's agent requested a standard eviction order (11 days). They did not know about any circumstances regarding the Tenant. Since the Tenant did not attend the hearing to challenge the application, I did not hear any submissions about circumstances to delay or deny the eviction.
10. 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.

It is ordered that:

11. The tenancy between the Landlord and the Tenant is terminated unless the Tenant voids this order.

PAY AND STAY OPTIONS

12. **The Tenant may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**

- **\$581.74*** if the payment is made on or before March 31, 2026 (see Schedule 1 section A for how this amount was calculated);

OR

- **\$1,096.32**** if the payment is made after March 31, 2026 but on or by April 21, 2026 (see Schedule 1 section B for how this amount was calculated).

13. 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 21, 2026 but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenant may only make this motion once during the tenancy.

PAY AND GO OPTIONS

14. **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 21, 2026 (standard 11 days from the issuance date of this Order).**

15. If the Tenant does not void the order, the Tenant shall pay to the Landlord **\$937.06*****. This amount includes rent arrears owing to the date of the hearing (up to March 31, 2026) plus the prorated rent up to the termination date (April 21, 2026) and the cost of filing the application (see Schedule 1 section C for how this amount was calculated).
16. If the Tenant fails to vacate the rental unit by the termination date, then the Tenant shall also pay the Landlord compensation of **\$16.92 per day** for the use of the rental unit **starting April 22, 2026** until the date the Tenant actually moves out of the rental unit or gets evicted through Sheriff enforcement.
17. If the Tenant does not pay the Landlord the full amount owing on or before April 21, 2026, the Tenant will start to owe interest. This will be simple interest calculated from April 22, 2026 at 4.00% annually on the balance outstanding.
18. If the unit is not vacated on or before April 21, 2026, then starting April 22, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
19. 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 22, 2026.

April 10, 2026
Date Issued

Michelle Tan

Vice Chair, 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 22, 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

PAY AND STAY OPTIONS

- A. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before March 31, 2026**

Rent Arrears Owing To March 31, 2026	\$395.74
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$581.74*

- B. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made after March 31, 2026 but on or by April 21, 2026**

Rent Owing to April 30, 2026	\$910.32
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$1,096.32**

PAY AND GO OPTION

- C. Amount the Tenant must pay if the tenancy is terminated**

Rent Owing Prorated to Termination Date (April 21, 2026)	\$751.06
Application Filing Fee	\$186.00
Total amount owing to the Landlord	\$937.06***
Plus daily compensation owing for each day of occupation starting April 22, 2026 until the rental unit is vacated	\$16.92 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	