



Order under Section 69 Residential Tenancies Act, 2006

Citation: MS Electric Mike Sedlacek v Gibson, 2026 ONLTB 28464

Date: 2026-04-10

File Number: LTB-L-005829-26

In the matter of: 3, 96 WELLINGTON ST
ST. THOMAS ON N5R2R2

Between: MS Electric Mike Sedlacek
Richard Geddes
Landlords

And

Michael Gibson
Tenant

MS Electric Mike Sedlacek and Richard Geddes (the 'Landlords') applied for an order to terminate the tenancy and evict Michael Gibson (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on April 2, 2026.

The Landlords' Representative, Susana Pereira, and the Tenant attended the hearing.

Determinations:

1. The Landlords 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 \$750.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$24.66. This amount is calculated as follows: \$750.00 x 12, divided by 365 days.
5. The Tenant has paid \$750.00 to the Landlords since the application was filed.
6. The rent arrears owing to April 30, 2026, are \$4,000.00.
7. The Landlords 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 Landlords are requesting an eviction order, however are agreeable to a delayed termination date of May 31, 2026. The Landlords have a few rental properties and although there are rent arrears owing from the Tenant, the Landlords are not in a position of financial hardship.
10. The Tenant lives in the rental unit alone. Based on the income and expenses of the Tenant, the Tenant is unable to pay the rent plus a reasonable repayment plan. Since the application has been filed, the Tenant has not paid any rent, except the amount that is paid through the City. Therefore, this tenancy is not viable. I will extend the termination to May 31, 2026, to afford the Tenant time to repay the rent arrears and void the order, or to find an alternative rental unit.
11. 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 Landlords attempted to negotiate a repayment agreement with the Tenant and find that it would not be unfair to postpone the eviction until May 31, 2026, pursuant to subsection 83(1)(b) of the Act.

It is ordered that:

1. The tenancy between the Landlords 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 Landlords or to the LTB in trust:**
 - \$4,186.00 if the payment is made on or before April 30, 2026. See Schedule 1 for the calculation of the amount owing.
- OR**
- \$4,936.00 if the payment is made on or before May 31, 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 May 31, 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 May 31, 2026.**
5. If the Tenant does not void the order, the Tenant shall pay to the Landlords \$3,485.32. 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 Landlords compensation of \$24.66 per day for the use of the unit starting April 3, 2026, until the date the Tenant moves out of the unit.
7. If the Tenant does not pay the Landlords the full amount owing on or before May 31, 2026, the Tenant will start to owe interest. This will be simple interest calculated from June 1, 2026, at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before May 31, 2026, then starting June 1, 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 June 1, 2026.

April 10, 2026
Date Issued

Paula West Oreskovich
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 December 1, 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 30, 2026

Rent Owing To April 30, 2026	\$4,750.00
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlords since the application was filed	- \$750.00
Total the Tenant must pay to continue the tenancy	\$4,186.00

B. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before May 31, 2026

Rent Owing To May 31, 2026	\$5,500.00
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlords since the application was filed	- \$750.00
Total the Tenant must pay to continue the tenancy	\$4,936.00

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

Rent Owing To Hearing Date, April 2, 2026	\$4,049.32
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlords since the application was filed	- \$750.00
Total amount owing to the Landlords	\$3,485.32
Plus daily compensation owing for each day of occupation starting April 3, 2026	\$24.66 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	