



**Order under Section 69  
Residential Tenancies Act, 2006**

**File Number:** LTB-L-007851-26

**In the matter of:** 310, 1862 BATHURST ST  
YORK ON M5P3K8

**Between:** Equiton Residential Income Fund LP Landlord

**And**

Leon Kampelmacher Tenant

Equiton Residential Income Fund LP (the 'Landlord') applied for an order to terminate the tenancy and evict Leon Kampelmacher (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 Landlord's agent, Laveena Sansal, and the Tenant attended the hearing.

Preliminary Issue:

1. The Tenant did not raise any issues pursuant to section 82 of the *Residential Tenancies Act, 2006* (the "Act") prior to the hearing. The Board's procedures require that a tenant who intends to rely on section 82 must provide advance notice of those issues to both the Landlord and the Board within the prescribed timeframe before the hearing.
2. In this case, the Tenant did not comply with this requirement. As a result, I declined to consider any section 82 issues at the hearing.
3. The Tenant was advised that they may pursue any concerns related to maintenance or repair by filing a separate application with the Board, provided that such application is brought within the applicable limitation period under the Act.

**Determinations:**

4. 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.
5. As of the hearing date, the Tenant was still in possession of the rental unit.

6. The lawful rent is \$2,319.61. It is due on the 1st day of each month.
7. Based on the Monthly rent, the daily rent/compensation is \$76.26. This amount is calculated as follows: \$2,319.61 x 12, divided by 365 days.
8. The Tenant has not made any payments since the application was filed.
9. The rent arrears owing to April 30, 2026 are \$9,278.44.
10. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
11. The Landlord collected a rent deposit of \$2,154.00 from the Tenant 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.
12. Interest on the rent deposit, in the amount of \$37.67 is owing to the Tenant for the period from June 3, 2025 to April 2, 2026.

Relief from eviction

13. The Landlord is seeking termination of the tenancy,
14. The Tenant submitted that the failure to pay rent was attributable to ongoing maintenance concerns in the rental unit.
15. The Tenant further testified that they are in the process of securing alternative accommodation and requested an extension of time to vacate the unit until May 30, 2026.
16. However, when questioned at the hearing, the Tenant did not present a repayment plan or any proposal to address the outstanding arrears of rent. The Tenant's evidence indicated an intention to vacate rather than to preserve the tenancy.
17. In the absence of a viable plan to repay the arrears or maintain the tenancy on a going-forward basis, I am not satisfied that granting relief from eviction or extending the termination date would be appropriate. Granting such relief would be prejudicial to the Landlord, who continues to be deprived of lawful rent.
18. Accordingly, I find that the tenancy is no longer viable, and no extension of time to void or delay the eviction is warranted.
19. 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.
20. This order contains all of the reasons for the decision within it. No further reasons shall be issued.

**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:**
  - \$9,464.44 if the payment is made on or before April 20, 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 20, 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 20, 2026.**
5. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$5,105.68. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit are deducted from the amount owing by the Tenant. See Schedule 1 for the calculation of the amount owing.
6. The Tenant shall also pay the Landlord compensation of \$76.26 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 Landlord the full amount owing on or before April 20, 2026, the Tenant will start to owe interest. This will be simple interest calculated from April 21, 2026 at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before April 20, 2026, then starting April 21, 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 21, 2026.

**April 9, 2026**  
**Date Issued**

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Teresa Hunt  
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 21, 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 20, 2026**

|                                                          |                   |
|----------------------------------------------------------|-------------------|
| Rent Owing To April 30, 2026                             | \$9,278.44        |
| Application Filing Fee                                   | \$186.00          |
| <b>Total the Tenant must pay to continue the tenancy</b> | <b>\$9,464.44</b> |

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

|                                                                                                                     |                      |
|---------------------------------------------------------------------------------------------------------------------|----------------------|
| Rent Owing To Hearing Date                                                                                          | \$7,111.35           |
| Application Filing Fee                                                                                              | \$186.00             |
| <b>Less</b> the amount of the last month's rent deposit                                                             | - \$2,154.00         |
| <b>Less</b> the amount of the interest on the last month's rent deposit                                             | - \$37.67            |
| <b>Total amount owing to the Landlord</b>                                                                           | <b>\$5,105.68</b>    |
| Plus daily compensation owing for each day of occupation starting April 3, 2026                                     | \$76.26<br>(per day) |
| **Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00. |                      |