



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

File Number: LTB-L-010052-26

In the matter of: 76, 760 HORIZON DR
LONDON ON N6H5G3

Between: Levante Living Landlord

And

Shirley McLean Tenant

Levante Living (the 'Landlord') applied for an order to terminate the tenancy and evict Shirley McLean (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on April 9, 2026.

The Landlord's Agent, Tonya Luciani, and the Tenant's Support, Natasha Kukoiij, attended the hearing.

Adjournment request:

1. The Tenants' request for an adjournment was denied for the reasons that follow:
2. The Tenant's support person requested an adjournment since she has been recently assigned to the Tenant as a social worker. The Tenant is an older person who is vulnerable and sick. An eviction could be detrimental. The Tenant's support requires time to understand the Tenant's financial position and then arrange for the arrears to be paid.
3. The Landlord objected to a further delay as the Tenant has been in arrears since March 2025 and not made a single rent payment. A further delay will be prejudicial.
4. The Board's records show that the Notice of Hearing was sent out on March 5, 2025, deemed served on March 10, 2025.
5. I find the Tenant received sufficient notice of the hearing and have been provided with an adequate opportunity to reach out for help and to have her payments corrected. A further delay is unreasonable and prejudicial to the Landlord. The Tenants' request is denied.

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 \$1,970.54. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$64.78. This amount is calculated as follows: $\$1,970.54 \times 12$, divided by 365 days.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to April 27, 2026, are \$23,646.48.
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. 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.
10. The Tenant's support person testified that she requests time to understand the Tenant's position and create a workable plan to pay off the arrears. The Landlord was open to grant the Tenant 30-days time. The Tenant was left at the care home, and no one has ever paid the rent or other expenses. The Landlord is not willing to pay for the Tenant's expenses going further. Keeping the Tenant's circumstances in mind, I am granting a 30-day delay.

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:**
 - \$23,832.48 if the payment is made on or before April 27, 2026. See Schedule 1 for the calculation of the amount owing.
- OR**
- \$25,803.02 if the payment is made on or before May 10, 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 10, 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 10, 2026.**
5. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$22,666.44. 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 \$64.78 per day for the use of the unit starting April 10, 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 May 10, 2026, the Tenant will start to owe interest. This will be simple interest calculated from May 11, 2026, at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before May 10, 2026, then starting May 11, 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 May 11, 2026.

April 20, 2026
Date Issued

Sheena Brar
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 November 11, 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 27, 2026

Rent Owing to April 27, 2026	\$23,646.48
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$23,832.48

B. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before May 10, 2026

Rent Owing to May 27, 2026	\$25,617.02
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$25,803.02

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

Rent Owing to Hearing Date	\$22,480.44
Application Filing Fee	\$186.00
Total amount owing to the Landlord	\$22,666.44
Plus, daily compensation owing for each day of occupation starting April 10, 2026	\$64.78 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	