



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-007680-26

In the matter of: unit 1, 4905 DUNDAS ST W
ETOBICOKE ON M9A1B2

Between: Pilowsky Consultants Landlord

And

Isabel Cruz Martinez Tenants
Karen Michelle Garcia Cabrera

Pilowsky Consultants (the 'Landlord') applied for an order to terminate the tenancy and evict Isabel Cruz Martinez and Karen Michelle Garcia Cabrera (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on April 13, 2026.

The Landlord's representative Justin Bernhard and the Tenants attended the hearing.

Determinations:

1. The Landlord served the Tenants with a valid Notice to End Tenancy Early for Non-payment of Rent (N4). The Tenants did not void the notice by paying the amount of rent arrears owing by the termination date in the notice or before the day the application was filed.
2. As of the hearing date, the Tenant Isabel Cruz Martinez ('I.M') is still in possession of the rental unit.
3. Karen Michelle Garcia Cabrera testified that she vacated the rental unit on August 4, 2025. Her request to be removed from the application is denied. The Tenants do not dispute that they have a joint tenancy. Section 87(1.1)(b) of the *Residential Tenancies Act, 2006* ('the Act') gives the Board jurisdiction to order arrears of rent be paid by a tenant up to a year after the tenant ceases to be in possession of the rental unit.
4. The lawful rent is \$2,153.78. It is due on the 1st day of each month.
5. The Tenants have paid \$4,307.46 to the Landlord since the application was filed.

6. The rent arrears owing to April 30, 2026, are \$4,307.66.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. Accordingly, the total amount the Tenants owe the Landlord is \$4,493.66.
9. 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 not be unfair to grant relief from eviction subject to the conditions set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act.
10. The Tenant I.M.'s request for relief from eviction in the form of a repayment plan is reasonable. The proposal of \$400.00 a month on the 20th will result in the arrears being paid off within a year. While the Tenant I.M testified that she lost her job, she also testified that she is currently receiving income from Ontario works and picking up work every weekend. The Tenant also testified that she is actively looking for a roommate to assist with costs. While the Landlord submits that the Tenant will not abide by a payment plan, the Tenant has made recent payments towards the arrears thus demonstrating a good faith intention to pay. The Tenant testified that she is a single mother with a 7-year-old child. That child will also be impacted by an eviction.

It is ordered that:

1. The Tenants shall pay to the Landlord \$4,493.66 for arrears of rent up to April 30, 2026 and costs.
2. The Tenants shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:
 1. For the 11-month period between April 20, 2026, to February 20, 2027, the Tenants shall pay \$400.00 to the Landlord on or before the 20th of each month.
 2. On or before March 20, 2027, the Tenants shall make a final payment of \$93.66.
3. The Tenants shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period May 1, 2026 to March 31, 2027, or until the arrears are paid in full, whichever date is earliest.
4. If the Tenants fail to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenants to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenants, apply to the LTB within 30 days of the Tenants' breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenants and

requiring that the Tenants pay any new arrears, NSF fees and related charges that became owing after April 30, 2026.

April 17, 2026

Date Issued

Amanda Kovats

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.