



**Order under Section 21.2 of the
Statutory Powers Procedure Act
and the Residential Tenancies Act, 2006**

Citation: Sabjoy Inc. v Barnes, 2026 ONLTB 31930

Date: 2026-04-17

File Numbers: LTB-L-102740-25-RV

LTB-T-033062-26

In the matter of: 206, 85 Clearview Hts
York ON M6M2A3

Between:	Sabjoy Inc.	Landlord
	and	
	Talia Barnes	Tenant

Review Order

Sabjoy Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Talia Barnes (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes. **(LTB-L-102740-25)**

The Tenant applied for an order determining that the Landlord did not give the Tenant 72 hours to remove their property from the rental unit or from some place close to the rental unit after the Sheriff evicted the Tenant. **(LTB-T-033062-26)**

The Landlord's application was resolved by order LTB-L-102740-25 issued on February 20, 2026.

On April 8, 2026, the Tenant requested a review of the order LTB-L-102740-25 and that the order be stayed until the request to review the order is resolved.

On April 9, 2026, interim order LTB-L-102740-25-RV-IN was issued, staying the order issued on February 20, 2026.

The review request and the Tenant's application were heard by videoconference on April 16, 2026.

The Landlord's Legal Representative, Bryan Rubin, the Landlord's Agent, Victor Chan, and the Tenant attended the hearing.

The parties mutually agreed to resolve all matters at issue in the applications and requested an order on consent. The parties also mutually agreed to have the Tenant's T2 application brought forward and to be heard together with review request. I was satisfied that the parties understood the consequences of the joint submission.

At the hearing, the parties agreed:

1. The request to review is granted. As a result, order LTB-L-102740-25 issued on February 20, 2026 was cancelled, and a new hearing was held to consider the merits of the original application.
2. The Tenant was evicted by the Sheriff prior to the request for review being filed with the Board. An interim order was issued on April 9, 2026, which required the Landlord not to re-rent the rental unit to anyone else and to preserve the Tenant's belongings until otherwise ordered. The unit has not been re-rented, and the Tenant's belongings have been preserved in the rental unit. The Tenant shall immediately recover possession of the rental unit.
3. 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.
4. As of the hearing date, the Tenant was still in possession of the rental unit.
5. The lawful rent is \$1,500.00. It is due on the 1st day of each month.
6. Based on the Monthly rent, the daily rent/compensation is \$49.32. This amount is calculated as follows: $\$1,500.00 \times 12$, divided by 365 days.
7. The Tenant has paid \$2,500.00 to the Landlord since the application was filed.
8. The rent arrears owing to April 30, 2026 are \$6,000.00.
9. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
10. The Landlord collected a rent deposit of \$1,500.00 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.
11. Interest on the rent deposit, in the amount of \$17.09 is owing to the Tenant for the period from October 1, 2025 to April 16, 2026.
12. The parties requested a final, non-voidable termination of this tenancy based on their agreement to terminate the tenancy as of May 8, 2026. The application is amended to include an L3 application for termination of the tenancy. As a consequence, the Tenant does not have the option to void the eviction order under sections 74(4) or 74(11) of the *Residential Tenancies Act, 2006* (the 'Act') by paying the outstanding rent arrears.
13. The Landlord waives any and all rent owing for the period commencing May 1, 2026 to May 8, 2026.
14. This resolves all issues between the parties with respect to the tenancy.

It is ordered that:

1. The request to review order LTB-L-102740-25 issued on February 20, 2026 is granted.
2. Order LTB-L-102740-25 issued on February 20, 2026 is cancelled and replaced by this order.
3. The Landlord shall immediately allow the Tenant to recover possession of the rental unit and provide the Tenant with keys to the rental unit.
4. If the Landlord does not allow the Tenant to recover possession of the unit, the Tenant may file this order with the Court Enforcement Office (Sheriff) so that the order may be enforced.
5. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give possession of the unit to the Tenant.
6. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before May 8, 2026.
7. If the unit is not vacated on or before May 8, 2026, then starting May 9, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
8. 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 9, 2026.
9. The Tenant shall pay to the Landlord \$3,958.03. 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.
10. The Tenant shall also pay the Landlord compensation of \$49.32 per day for the use of the unit starting April 17, 2026 until April 30, 2026.
11. If the Tenant does not vacate the rental unit on or before May 8, 2026, the Tenant shall also pay the Landlord compensation of \$49.32 per day for the use of the unit starting May 9, 2026 until the Tenant vacates the rental unit.
12. If the Tenant does not pay the Landlord the full amount owing on or before May 8, 2026, the Tenant will start to owe interest. This will be simple interest calculated from May 9, 2026 at 4.00% annually on the balance outstanding.

April 17, 2026
Date Issued

Candace Aboussafy
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 9, 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.

The part of this order allowing the Tenant to recover possession of the unit and prohibiting the Landlord from re-renting the unit to anyone else expires and cannot be enforced if:

- a. The Tenant does not file this order on or before May 1, 2026 with the Court Enforcement Office (Sheriff) which has territorial jurisdiction where the rental unit is located, or
- b. The Tenant files this order with the Court Enforcement Office (Sheriff) but the order has not been enforced on or before May 7, 2026.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenant must pay because the tenancy is terminated

Rent Owing to Hearing Date	\$7,789.12
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$2,500.00
Less the amount of the last month's rent deposit	- \$1,500.00
Less the amount of the interest on the last month's rent deposit	- \$17.09
Total amount owing to the Landlord	\$3,958.03
Plus daily compensation owing for each day of occupation starting April 17, 2026 to April 30, 2026; and starting May 9, 2026 until the Tenant vacates the rental unit	\$49.32 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	