



Order under Section 69 Residential Tenancies Act, 2006

Citation: Dawson Properties v Duguay, 2026 ONLTB 35967

Date: 2026-05-11

File Number: LTB-L-016431-26

In the matter of: 206, 777B Kingsway
Thunder Bay, ON P7E 2B3

Between: Dawson Properties Landlord

And

Thomas Duguay Tenant

Dawson Properties (the 'Landlord') applied for an order to terminate the tenancy and evict Thomas Duguay (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on April 30, 2026. The Landlord, Chris Chenette, and the Tenant attended the hearing.

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 \$1,373.50. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$45.16. This amount is calculated as follows: \$1,373.50 x 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 30, 2026, are \$10,051.50.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

8. The Landlord collected a rent deposit of \$1,340.00 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.
9. Interest on the rent deposit, in the amount of \$5.09 is owing to the Tenant for the period from February 24, 2026, to April 30, 2026.
10. I have considered all 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 not be unfair to postpone the eviction until May 17, 2026 pursuant to subsection 83(1)(b) of the Act. The parties consented to a final order terminating the tenancy on May 17, 2026. I find no reason to interfere with the parties' wishes.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated effective May 17, 2026. The Tenant must move out of the rental unit on or before May 17, 2026.
2. The Tenant shall return the keys to the Landlord on or before May 18, 2026.
3. The Tenant owes the Landlord \$10,051.50 to the date of the hearing.
4. The Tenant shall also pay the Landlord compensation of \$45.16 per day for the use of the unit starting May 1, 2026, until the date the Tenant moves out of the unit.
5. If the Tenant does not pay the Landlord the full amount owing on or before May 17, 2026, the Tenant will start to owe interest. This will be simple interest calculated from May 18, 2026, at 4.00% annually on the balance outstanding.
6. If the unit is not vacated on or before May 17, 2026, then starting May 18, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
7. 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 18, 2026.

May 11, 2026
Date Issued

Jane Dean
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 18, 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 as the tenancy is terminated:

Rent Owing to Hearing Date	\$10,051.50
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,340.00
Less the amount of the interest on the last month's rent deposit	- \$5.09
Total amount owing to the Landlord	\$8,892.41
Plus, daily compensation owing for each day of occupation starting May 1, 2026	\$45.16 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	