



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

File Number: LTB-L-015343-26

In the matter of: 612, 65 WYNFORD HEIGHTS CRES
NORTH YORK ON M3C1L7

Between: H&R Property Management Landlord

And

David Abbey Tenant

H&R Property Management (the 'Landlord') applied for an order to terminate the tenancy and evict David Abbey (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on May 4, 2026.

Only the Landlord's Representative, Eric Steiman attended the hearing.

As of 1:16 p.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4). The Tenant 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 was still in possession of the rental unit.
3. The lawful rent is \$2,450.69. It is due on the 1st day of each month.
4. The Tenant has paid \$1,900.00 to the Landlord since the application was filed.
5. The rent arrears owing to May 31, 2026, are \$9,803.88.

6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. Accordingly, the total amount the Tenant owes the Landlord is \$9,989.88.
8. 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.
9. At the hearing, the Landlord's Representative sought the issuance of an order allowing the Tenant the opportunity to void said order by way of a payment plan. I found this request to be reasonable given the circumstances.

It is ordered that:

1. The Tenant shall pay to the Landlord \$9,989.88 for arrears of rent up to May 31, 2026, and costs.
2. The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:

Arrears Payment Due Date	Arrears Payment Amount
Monthly payments due on, or before the 1 st day of each month, June 1, 2026 – May 1, 2027	\$800.00 per month
Due on, or before June 1, 2027	\$389.88 final payment

3. The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period June 1, 2026, to July 1, 2027, or until the arrears are paid in full, whichever date is earliest.
4. If the Tenant fails 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 Tenant to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after May 31, 2026.

May 12, 2026
Date Issued

Ilan Shingait
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.