



**Order under Section 94.11(1)
Residential Tenancies Act, 2006**

File Number: LTB-C-039202-26

In the matter of: 85, 8675 BAYVIEW AVE
RICHMOND HILL ON L4B3M5

Between: RICHMOND HILL CO-OPERATIVE HOMES INC. Co-op

And

NICOLETTA DEL DUCA Co-op Member

RICHMOND HILL CO-OPERATIVE HOMES INC. (the 'Co-op') applied for an order to end the occupancy of the member unit and evict NICOLETTA DEL DUCA (the 'Co-op Member') and for an order to have the Co-op Member pay the regular monthly housing charges they owe because the Co-op Member failed to meet a condition specified in the order issued by the LTB on March 24, 2026 with respect to application LTB-C-011233-26.

This application was decided without a hearing being held.

Determinations:

1. The order provides that the Co-op can apply to the LTB under section 94.11 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Co-op Member to terminate the occupancy and evict the Co-op Member if the Co-op Member does not meet certain condition(s) in the order. This application was filed within 30 days of the breach.

The breach

2. I find that the Co-op Member did not meet the following conditions specified in the order: the Co-op Member failed to pay \$1,000.00 toward arrears and failed to pay the regular monthly housing charges for May 2026 in full on or before May 1, 2026.

Arrears owing

3. The previous application includes a request for an order for the payment of arrears of regular monthly housing charges and other housing charges owing and the order requires the Co-op Member to make payments by specific due

dates. Accordingly, in addition to eviction, the Co-op is entitled to request an order for the payment of arrears and other housing charges owing.

4. The Co-op Member was ordered to pay \$17,076.00 for arrears of regular monthly housing charges and other housing charges owing and the application filing fee in the previous order. The amount that is still owing from that order is \$16,796.00 and that amount is included in this order. This order replaces order LTB-C-011233-26.
5. Since the date of the previous order, the Co-op Member has failed to pay the full regular monthly housing charges that became owing for the period from April 1, 2026, to May 31, 2026.

Refundable amounts held by the Co-op

6. The Co-op Member is owed \$1,508.00 for refundable deposits. The total refundable deposit is set off against the amount the Co-op Member owes.

Daily compensation

7. The Co-op is entitled to daily compensation from the day after this order is issued to the date the Co-op Member moves out of the unit at a daily rate of \$54.44. The amount is calculated as follows: \$1,656.00 x 12, divided by 365 days.

Section 94.12 considerations

8. I have considered all of the disclosed circumstances in accordance with subsection 94.12(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would be unfair to grant relief from eviction pursuant to subsection 94.12(1) of the Act.

It is ordered that:

1. Order LTB-C-011233-26 is cancelled.
2. The Co-op Member's occupancy is terminated. The Co-op Member must move out of the member unit on or before May 17, 2026.
3. If the unit is not vacated on or before May 17, 2026, then starting May 18, 2026, the Co-op may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
4. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Co-op on or after May 18, 2026.

5. The Co-op Member shall pay to the Co-op **\$13,958.64**. This amount includes arrears of regular monthly housing charges owing up to May 6, 2026, and other unpaid housing charges and the cost of filing the previous application minus any refundable deposits the Co-op is holding. See Schedule 1 for the calculation of the amount owing.
6. The Co-op Member shall pay to the Co-op \$54.44 per day for compensation for the use of the unit starting May 7, 2026, to the date the Co-op Member moves out of the unit.
7. If the Co-op Member does not pay the Co-op the full amount owing on or before May 17, 2026, the Co-op Member will start to owe interest. This will be simple interest calculated from May 18, 2026, at 4.00% annually on the balance outstanding.

May 6, 2026
Date Issued

Egya Sangmuah
Vice Chair, 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.

The Co-op Member has until May 16, 2026, to file a motion with the LTB to set aside the order under s. 94.11(3) of the Act. If the Co-op Member files the motion by May 16, 2026, the order will be stayed, and the LTB will schedule a hearing.

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 member unit is located.

SUMMARY OF CALCULATIONS**Amount the Co-op Member must pay the Co-op:**

Reason for amount owing	Period	Amount
Amount owing from previous order. (Including the application filing fee)	Up to March 31, 2026	\$16,796.00
New Regular Monthly Housing Charges	April 1, 2026, to May 6, 2026	-\$1,329.36
New Other Housing Charges		\$0.00
New NSF cheque charges and related administration charges		\$0.00
Less the other refundable deposits:		-\$1,508.00
Plus daily compensation owing for each day of occupation starting May 7, 2026		\$54.44 (per day)

Total the Co-op Member must pay the Co-op:**\$13,958.64 + \$54.44 per day starting May 7, 2026**

