



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

File Number: LTB-L-018982-26

In the matter of: 1006, 43 FOREST AVE
HAMILTON ON L8N1X2

Between: Greenwin Corp Landlord

And

Eva Maria Guerra Tenants
Moises Aaron Pena
Jairo Quintero Canisares

Greenwin Corp (the 'Landlord') applied for an order to terminate the tenancy and evict, Eva Maria Guerra, Jairo Quintero Canisares and Moises Aaron Pena (the 'Tenants') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on May 11, 2026.

The Landlord's Legal Representative Frannie Simms and the Tenant Jairo Quintero Canisares attended the hearing.

The Tenant was assisted by their friend Jeronimo Merino in providing Spanish language interpretation. They are not a certified interpreter.

Determinations:

Named Tenants

1. At the outset of the hearing, the Board confirmed if minors had been listed as Tenants in the lease agreement.
2. The Landlord submitted that they do not include minors in lease agreements.
3. The Tenant testified that they had signed the lease agreement on behalf of all five (5) named Tenants.
4. The parties agreed that two (2) of the named Tenants Yajaira Cristina Pena and Jairimar Nazareth Pena lacked capacity to enter into a lease agreement. As a result, the parties agreed to remove these two(2) from this proceeding. The style of cause has been amended accordingly.

L1 Application

5. 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.
6. As of the hearing date, the Tenant was still in possession of the rental unit.
7. The lawful rent is \$3,187.22. It is due on the first day of each month.
8. Based on the Monthly rent, the daily rent/compensation is \$104.79. This amount is calculated as follows: $\$3,187.22 \times 12$, divided by 365 days.
9. The Tenant has not made any payments since the application was filed.
10. The rent arrears owing to May 31, 2026 are \$12,683.33.
11. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
12. The Landlord collected a rent deposit of \$3,121.67 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.
13. 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 postpone the eviction until June 25, 2026 pursuant to subsection 83(1)(b) of the Act.
14. The Landlord was amenable to a postponed eviction date given all of the health circumstances that were detailed in the hearing. The Tenant has been working with a Housing Support Worker to find alternative housing.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated unless the Tenant voids this order.
 2. **The Tenant may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**
 - \$12,869.33 if the payment is made on or before May 31, 2026. See Schedule 1 for the calculation of the amount owing.
- OR**
- \$16,056.55 if the payment is made on or before June 25, 2026. See Schedule 1 for the calculation of the amount owing.
 3. The Tenant may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenant has paid the full amount owing as ordered plus any additional rent

that became due after June 25, 2026 but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenant may only make this motion once during the tenancy.

4. **If the Tenant does not pay the amount required to void this order the Tenant must move out of the rental unit on or before June 25, 2026.**
5. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$7,713.13. 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.
6. The Tenant shall also pay the Landlord compensation of \$104.79 per day for the use of the unit starting May 12, 2026 until the date the Tenant moves out of the unit.
7. If the Tenant does not pay the Landlord the full amount owing on or before June 25, 2026, the Tenant will start to owe interest. This will be simple interest calculated from June 26, 2026 at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before June 25, 2026, then starting June 26, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. 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 June 26, 2026.

May 25, 2026
Date Issued

Robert Patchett
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on December 6, 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 to void the eviction order and continue the tenancy if the payment is made on or before May 31, 2026

Rent Owing To May 31, 2026	\$12,683.33
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$12,869.33

B. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before June 25, 2026

Rent Owing To June 30, 2026	\$15,870.55
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$16,056.55

C. Amount the Tenant must pay if the tenancy is terminated

Rent Owing To Hearing Date	\$10,648.80
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$3,121.67
Total amount owing to the Landlord	\$7,713.13
Plus daily compensation owing for each day of occupation starting May 12, 2026	\$104.79 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	