Order under Section 78(6)
Residential Tenancies Act, 2006

File Number: LTB-L-042570-26

In the matter of: 509, 55 EMMETT AVE
YORK ON M6M2E4

Between: Devamm Investments Iia Ltd. — Landlord

And

Sheldon Simpson — Tenant

Devamm Investments Iia Ltd. (the 'Landlord') applied for an order to terminate the tenancy and evict Sheldon Simpson (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the order issued by the LTB on April 1, 2026 with respect to application LTB-L-013179-26-SA.

This application was decided without a hearing being held.

Determinations:

1. The order provides that the Landlord can apply to the LTB under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenant to terminate the tenancy and evict the Tenant if the Tenant does not meet certain condition(s) in the order. This application was filed within 30 days of the breach.
2. I find that the Tenant has not met the following condition specified in the order:

   The Tenant failed to pay to the Landlord new rent in full and on time, on or before May 1, 2026.

3. The previous application includes a request for an order for the payment of arrears of rent and the order requires the Tenant to make payments by specific due dates. Accordingly, in addition to eviction, the Landlord is entitled to request an order for the payment of arrears owing.
4. The Tenant was required to pay $1,539.52 for rent arrears and the application filing fee in the previous order. The amount that is still owing from that order is $996.67 and that amount is included in this order. This order replaces order LTB-L-013179-26-SA.
5. Since the date of the previous order, the Tenant has failed to pay the full rent that became owing for the period from April 1, 2026, to May 31, 2026.
6. The Landlord collected a rent deposit of $1,262.01 from the Tenant and this deposit is still being held by the Landlord.

7. Interest on the rent deposit is owing to the Tenant for the period from January 1, 2026, to May 20, 2026.
8. The amount of the rent deposit and interest on the rent deposit is applied to the amount the Tenant is required to pay.
9. The Landlord is entitled to daily compensation from the day after this order is issued to the date the Tenant moves out of the unit at a daily rate of $44.62. This amount is calculated as follows: $1,357.15 x 12, divided by 365 days.

It is ordered that:

1. Order LTB-L-013179-26-SA is cancelled.
2. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before May 31, 2026.
3. If the unit is not vacated on or before May 31, 2026, then starting June 1, 2026, the Landlord 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 Landlord on or after June 1, 2026.
5. The Tenant shall pay to the Landlord $616.89*. **(Less any payments made by the Tenant after this application was filed on May 15, 2026).** This amount represents the rent owing up to May 20, 2026, and the cost of filing the previous application, less the rent deposit and interest the Landlord owes on the rent deposit.
6. The Tenant shall also pay to the Landlord $44.62 per day for compensation for the use of the unit starting May 21, 2026, to 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 May 31, 2026, the Tenant will start to owe interest. This will be a simple interest calculated from June 1, 2026, at 4.00% annually on the balance outstanding.

May 20, 2026
Date Issued

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Kelly Delaney

Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor,
Toronto ON M7A 2G6

The Tenant has until May 30, 2026, to file a motion with the LTB to set aside the order under s. 78(9) of the Act. If the tenant files the motion by May 30, 2026, the order will be stayed, and the LTB will schedule a hearing.

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 1, 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.

* Refer to the attached Summary of Calculations.

Summary of Calculation

Amount the Tenant must pay the Landlord:

Reason for amount owing	**Period**	**Amount**
Amount owing from previous order	Up to March 31, 2026	$996.67
New Arrears	April 1, 2026, to May 20, 2026	$892.40
Less the rent deposit:		-$1,262.01
Less the interest owing on the rent deposit	January 1, 2026, to May 20, 2026	-$10.17
Plus, daily compensation owing for each day of occupation starting May 21, 2026		$44.62 (per day)
Total the Tenant must pay the Landlord:		$616.89 +$44.62 **per day starting** May 21, 2026