



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

File Number: LTB-L-105596-25-RV

In the matter of: 69 WESTHAMPTON WAY
STONE CREEK ON L8E6C5

Between: Estate of Robin Marcotte Landlord

And

Mark David Uttley Tenant

Estate of Robin Marcotte (the 'Landlord') applied for an order to terminate the tenancy and evict Mark David Uttley (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-105596-25 issued on February 18, 2026.

On February 18, 2026 Mark David Uttley (the 'Tenant') requested that order LTB-L-105596-25 issued on February 18, 2026 be reviewed and that the order be stayed until the Tenant's request to review the order is resolved on the ground that the Tenant was not reasonably able to participate in the proceedings.

On February 19, 2026 interim order LTB-L-105596-25-RV-IN was issued, staying the order issued on February 18, 2026

The request for review was heard by videoconference on March 25, 2026. The Tenant attended the hearing.

The review request was granted and an interim order LTB-L-105596-25-RV-IN2 issued on April 1, 2026. The matter was adjourned for a re-hearing of the L1 Application.

The re-hearing of the L1 Application was heard by videoconference on May 20, 2026.

Only the Landlord's representative Sara Murtadha and Landlord's trustee/agent Martin Rygiel attended the hearing.

As of 9:30 a.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. The Tenant was served the notice of hearing by the Board by email, and consented to receive emails from the Board. The Landlord also emailed the Notice of Hearing to the Tenant. The Notice of hearing was also mailed to the Tenant and was

not returned. 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 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. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Tenant vacated the rental unit on April 22, 2026. Rent arrears are calculated up to the date the Tenant vacated the unit
4. The lawful rent is \$2,300.00. It was due on the 1st day of each month.
5. The Tenant has paid \$950.00 into the LTB since the application was filed.
6. The rent arrears owing to April 22, 2026 are \$25,311.64.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. There is no last month's rent deposit.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of April 22, 2026, the date the Tenant moved out of the rental unit.
2. The Tenant shall pay to the Landlord \$25,497.64. This amount includes rent arrears owing up to the date the Tenant moved out of the rental unit and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.
3. If the Tenant does not pay the Landlord the full amount owing on or before June 7, 2026, the Tenant will start to owe interest. This will be simple interest calculated from June 8, 2026 at 4.00% annually on the balance outstanding.

May 27, 2026
Date Issued

Julie Broderick
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.

**Schedule 1
SUMMARY OF CALCULATIONS**

A. Amount the Tenant must pay as the tenancy is terminated

Rent Owing To Move Out Date	\$26,261.64
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$950.00
Total amount owing to the Landlord	\$25,497.64