



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

File Number: LTB-L-017611-26

In the matter of: 208, 806 KENNEDY RD
SCARBOROUGH ON M1K2E1

Between: MetCap Living Management Inc Landlord

And

H Claude Lucien Tenant

MetCap Living Management Inc (the 'Landlord') applied for an order to terminate the tenancy and evict H Claude Lucien (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on May 19, 2026.

The Landlord's Legal Representative, Stella Idahosa and the Tenant attended the hearing.

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 \$1,015.22. It is due on the 1st day of each month.
4. The Tenant has paid \$1,015.22 to the Landlord since the application was filed.
5. The rent arrears owing to May 31, 2026 are \$9,407.01.
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 \$9,593.01.

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. The Tenant sought an order granting relief from eviction in the form of a payment plan requiring the Tenant to pay \$800.00 per month towards the rental arrears on top of the monthly rent. The Landlord opposes the request.
10. The Tenant testified that he fell into arrears as a result of medical issues. The Tenant testified that he has returned to work and earns a net income of \$3,200.00 per month. The Tenant testified that his monthly expenses total approximately \$2,037.00 per month inclusive of the monthly rent.
11. The Tenant also testified that he has resided in the rental unit for approximately 15 years and that he would experience serious hardship if evicted due to his medical condition.
12. The Tenant has resided in the rental unit for approximately 15 years and would have difficulties finding a similar rental unit at the price he is currently paying.
13. Based on the Tenant's circumstances, I find that it would not be unfair to grant relief from eviction in the form of the payment plan the Tenant is requesting. The Landlord will be made whole within 12 months which is not unreasonable and this payment plan would give the Tenant an opportunity to preserve their longstanding tenancy.

It is ordered that:

1. The Tenant shall pay to the Landlord \$9,593.01 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:
 1. \$800.00 on or before the 15th day of each month for the period of June 15, 2026 to April 15, 2027; and
 2. \$793.01 on or before May 15, 2027.
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 May 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 25, 2026

Date Issued

Christopher Lin

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.