



Order under Section 69 Residential Tenancies Act, 2006

Citation: Amisich v Maschke, 2026 ONLTB 41495

Date: 2026-05-29

File Number: LTB-L-023360-26

In the matter of: 3, 147 MCNAUGHTON AVE W
CHATHAM ON N7L1R2

Between: Nerina Amisich

Landlord

And

Karl Maschke
Georgina Guyett

Tenants

Nerina Amisich (the 'Landlord') applied for an order to terminate the tenancy and evict Karl Maschke and Georgina Guyett (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on May 21, 2026.

Only the Landlord assisted by Susan Legue attended the hearing.

The Tenants were not present or represented at the hearing although properly served with notice of this hearing by the LTB. 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 May 11, 2026. Rent arrears are calculated up to the date the Tenant vacated the unit. This is the date that the Landlord inspected the unit and determined that the Tenant had vacated.
4. The lawful rent is \$1,450.00. It was due on the 1st day of each month.

5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to May 11, 2026 are \$8,374.37.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord collected a rent deposit of \$1,450.00 from the Tenant and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy terminated.
9. Interest on the rent deposit, in the amount of \$18.94 is owing to the Tenant for the period from September 27, 2025 to May 11, 2026.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of May 11, 2026, the date the Tenant moved out of the rental unit.
2. The Tenant shall pay to the Landlord \$7,091.43. 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. The rent deposit and interest the Landlord owes on the rent deposit is deducted from the amount owing by the Tenant. 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 9, 2026, the Tenant will start to owe interest. This will be simple interest calculated from June 10, 2026 at 4.00% annually on the balance outstanding.

May 29, 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.

Schedule 1
SUMMARY OF CALCULATIONS

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

Rent Owing To Move Out Date	\$8,374.37
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,450.00
Less the amount of the interest on the last month's rent deposit	- \$18.94
Total amount owing to the Landlord	\$7,091.43