



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

File Number: LTB-L-020996-26

In the matter of: 611, 135 WORTHINGTON ST W
NORTH BAY ON P1B8M6

Between: Nipissing District Housing Corporation Landlord

And

Berthold Kloehn Tenant

Nipissing District Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Berthold Kloehn (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on May 20, 2026.

The Landlord's Agent, Tonya Wagner, and the Tenant attended the hearing. The Tenant's support person Kara Brown, was also present.

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. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$819.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$26.93. This amount is calculated as follows: \$819.00 x 12, divided by 365 days.
5. The Tenant has not made any payments since the application was filed.
6. The parties agree that the rent arrears owing to May 31, 2026, are \$12,549.00.
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.
9. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the Residential Tenancies Act, 2006 (the 'Act'), including whether the Landlord

attempted to negotiate a repayment agreement with the Tenant and find that it would not be unfair to postpone eviction pursuant to subsection 83(1) of the Act.

10. The Tenant testified that he is a senior and his source of income is Canada Pension Plan, Old Age Security and pension from work. The Canada Revenue Agency has stopped all his payments, and he is being audited. The Tenant has been relying on friends and family to survive. The Tenant testified he could call Canada Revenue Agency and resolve it but has not done so yet. The Tenant also stated that he filed for bankruptcy sometime in 2024 but could not provide any details or paperwork to support the claim. The Tenant also has health conditions and would be rendered homeless if evicted.
11. The Landlord claims the Tenant has been given a lot of time and reminders but has taken no steps to speak with Canada Revenue Agency and keeps promising to pay.
12. I do not find the tenancy is currently viable, however, I am satisfied that a short period of additional time may allow the Tenant to restore income and preserve the tenancy. The Tenant has no income currently and the rent arrears date back to 2024. The Tenant has not taken any steps even after being served with the N4 notice to resolve their issues with the Canada Revenue Agency. I do also consider that the Tenant is a senior with health issues. I am willing to give the Tenant additional time to June 30, 2026, to give them a chance to resolve their issues with Canada Revenue Agency and preserve the tenancy. A short delay would not prejudice the Landlord as much as it may benefit the Tenant.

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:**
 - \$12,735.00 if the payment is made on or before May 31, 2026. See Schedule 1 for the calculation of the amount owing.

OR

 - \$13,554.00 if the payment is made on or before June 30, 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 30, 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 30, 2026.**
5. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$12,454.60. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.

6. The Tenant shall also pay the Landlord compensation of \$26.93 per day for the use of the unit starting May 21, 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 30, 2026, the Tenant will start to owe interest. This will be simple interest calculated from July 1, 2026, at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before June 30, 2026, then starting July 1, 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 July 1, 2026.

May 27, 2026
Date Issued

Sheena Brar
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on January 1, 2027, 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	\$12,549.00
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$12,735.00

B. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before June 30, 2026.

Rent Owing to June 30, 2026	\$13,368.00
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$13,554.00

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

Rent Owing to Hearing Date	\$12,268.60
Application Filing Fee	\$186.00
Total amount owing to the Landlord	\$12,454.60
Plus, daily compensation owing for each day of occupation starting May 21, 2026	\$26.93 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	