



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

File Number: LTB-L-023544-26

In the matter of: 22, 1517 UPPER WENTWORTH ST
HAMILTON ON L9B2L2

Between: Victoria Park Community Homes Landlord

And

Pavlina Tancosova Tenant
Marian Balogh

Victoria Park Community Homes (the 'Landlord') applied for an order to terminate the tenancy and evict Pavlina Tancosova and Marian Balogh (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's agent, Cheryl Lebel, attended the hearing.

As of 2:03 p.m., the Tenant was 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. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$246.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$8.09. This amount is calculated as follows: \$246.00 x 12, divided by 365 days.
5. The Tenant has paid \$1,084.00 into the LTB since the application was filed.
6. The rent arrears owing to May 31, 2026 are \$2,747.00.

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 \$202.22 from the Tenant and this deposit is still being held by the Landlord. The rent deposit can only be applied to the last rental period of the tenancy if the tenancy is terminated.
9. Interest on the rent deposit, in the amount of \$1.64 is owing to the Tenant for the period from January 1, 2026 to May 21, 2026.
10. The Landlord is seeking a conditional order requiring that the Tenant make payments as they agreed upon. Considering all of the above, it would not be unfair to impose a conditional order requiring the Tenant to make payments towards the arrears and, in my view, it would be unfair to terminate the tenancy.
11. 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.

It is ordered that:

1. The Tenant shall pay the Landlord **\$2,933.00**, which represents the arrears of rent and costs outstanding for the period ending May 31, 2026.
2. The Landlord's application for eviction of the Tenants is denied on the condition that:
3. The Tenant shall pay installments of \$296.00 on or before the 1st day of the month for the nine (9) month period commencing June 1, 2026 to February 1, 2027.
4. The remaining balance of \$269.00 shall be paid on or before March 1, 2027.
5. For the period of June 2026 to March 2027, or until the arrears are paid in full, whichever date is earliest, the Tenant shall pay the Landlord the monthly rent in full and by the first day of each corresponding month.
6. 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. Also, 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 the amount due and owing under this order and any new arrears, NSF fees and related charges that became owing after May 31, 2026. The order that results from this section 78 application is usually issued without hearing.

June 2, 2026
Date Issued

Vinuri Sivalingam
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.