



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-022147-26

In the matter of: 1907-20 Emerald St. N.
Hamilton, ON L8L8A4

Between: Sons of Italy Housing Emerald Corp. Landlord
c/o DMS Property Management Ltd.

And

Aden Shabcan Aden Tenant

Sons of Italy Housing Emerald Corp. c/o DMS Property Management Ltd. (the 'Landlord') applied for an order to terminate the tenancy and evict Aden Shabcan Aden (the 'Tenant') because the Tenant did not pay the rent owed.

The Landlord also claimed charges related to NSF cheques.

This application was heard by videoconference on May 28, 2026.

Only the Landlord's Legal Representative, Emily McGivern attended the hearing.

As of 3:58 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 \$1,429.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$46.98. This amount is calculated as follows: \$1,429.00 x 12, divided by 365 days.

5. The Tenant has paid \$5,650.00 to the Landlord since the application was filed.
6. The rent arrears owing to May 31, 2026, are \$1,403.74.
7. The Landlord is entitled to \$100.00 to reimburse the Landlord for administration charges and \$25.00 for bank fees the Landlord incurred as a result of 5 cheques given by or on behalf of the Tenant which were returned NSF.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
9. The Landlord collected a rent deposit of \$1,400.00 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.
10. Interest on the rent deposit, in the amount of \$48.29 is owing to the Tenant for the period from December 15, 2024, to May 28, 2026.
11. On May 27, 2026, the parties submitted a Payment Agreement detailing the amount and period of time required to pay the arrears. This agreement outlined payments for the period from May 20, 2026, to November 20, 2026. As the first payment date has already passed, the proposed payment schedule of that Payment Agreement has been adjusted by one month and is reflected in this order.
12. 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 to the Landlord \$1,714.74 for arrears of rent up to May 31, 2024, and costs.
2. The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:

Payment #	Payment Date (on or before)	Payment Amount	Balance
1	June 20, 2026	\$280.00	\$1,434.74
2	July 20, 2026	\$280.00	\$1,154.74
3	August 20, 2026	\$280.00	\$874.74
4	September 20, 2026	\$280.00	\$594.74
5	October 20, 2026	\$280.00	\$314.74
6	November 20, 2026	\$280.00	\$34.74
7	December 20, 2026	\$34.74	\$0.00

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 from June 1, 2026, to December 1, 2026, 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.

June 4, 2026

Date Issued

Ken Audziss

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.