



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

File Number: LTB-L-021725-26

In the matter of: 308, 100 RAGLAN AVE
YORK ON M6C2L3

Between: 100 RAGLAN AVENUE LTD. Landlord

And

ROBERT BENDE Tenant
ANNA MARIA VINCEFFY

100 RAGLAN AVENUE LTD. (the 'Landlord') applied for an order to terminate the tenancy and evict ROBERT BENDE and ANNA MARIA VINCEFFY (the 'Tenants') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on May 27, 2026 at 1:00 pm.

Only the Landlord Representative Sean Beard attended the hearing.

As of 1:30 pm, 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. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$1,878.49. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$61.76. This amount is calculated as follows: $\$1,878.49 \times 12$, divided by 365 days.
5. The Tenant has paid \$7,516.00 to the Landlord since the application was filed.
6. The rent arrears owing to May 31, 2026 are \$0.00.

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 \$1,853.37 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 \$15.67 is owing to the Tenant for the period from January 1, 2026 to May 27, 2026.
10. 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 pursuant to subsection 83(1)(a) of the Act.
11. Specifically, at time of the hearing the Landlord Representative submitted that they would not be seeking termination of the tenancy.

It is ordered that:

1. The tenancy between the Landlord and the Tenant continues.
2. The total amount the Tenant owes the Landlord for rent arrears up to May 31, 2026 is \$186.00
3. Should the Tenant fail to pay the Landlord the full amount owing on or before June 21, 2026 they shall incur interest. This will be simple interest calculated at 4.00% annually commencing June 22, 2026.

June 10, 2026
Date Issued

Kelly Delaney
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.