



Order under Section 69 Residential Tenancies Act, 2006

Citation: 555707 Ontario Limited c/o Bentall Property Services (Ontario) Ltd. v Hamilton, 2026
ONLTB 40883

Date: 2026-06-09

File Number: LTB-L-020283-26

In the matter of: 710, 1530 VICTORIA PARK AVE
Toronto ON M1L4R9

Between: 555707 Ontario Limited c/o Bentall Property Services (Ontario) Ltd. Landlord

and

Jerrel Anthony Oxley Tenant

555707 Ontario Limited c/o Bentall Property Services (Ontario) Ltd. (the 'Landlord') applied for an order to terminate the tenancy and evict Jerrel Anthony Oxley (the 'Tenant') and Brittany Hamilton because they did not pay rent owed.

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

The Landlord's Legal Representative, Faith McGregor, the Landlord's Agent and senior property manager, Jody Baker, and Brittany Hamilton attended the hearing.

As of 1:24 p.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. The Landlord's Representative also advised that on May 11, 2026, they had also emailed the Tenant and Ms. Hamilton the Notice of Hearing. Ms. Hamilton confirmed she received this email and that she had seen the Tenant was copied at his email address. The Landlord's Representative further advised the Tenant's email was one at which the Tenant had recently received information in a separate LTB Proceeding. 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 Tenant and Brittany Hamilton were joint tenants of the rental unit. However, Ms. Hamilton was not in possession of the rental when this application was filed and had in fact moved out of the rental unit more than one year earlier in October 2021. As a result, the application was amended to remove her as a tenant.

2. 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.
3. The Tenant was in possession of the rental unit on the date the application was filed.
4. The Landlord's Representative advised that, in a separate LTB proceeding held on April 9, 2026, it was confirmed the Tenant had vacated the rental unit on March 16, 2026. This accords with Order LTB-L-012943-26 issued on April 14, 2026, where the Member found the Tenant had moved out and the tenancy terminated on March 16, 2026. Rent arrears are calculated up to the date the Tenant vacated the unit
5. The lawful rent is \$1,277.55. It was due on the 1st day of each month.
6. The Tenant has not made any payments since the application was filed.
7. The rent arrears owing to March 16, 2026, are \$3,296.11.
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 \$1,251.28 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.
10. Interest on the rent deposit, in the amount of \$5.40 is owing to the Tenant for the period from January 1, 2026, to March 16, 2026.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of March 16, 2026, the date the Tenant moved out of the rental unit.
2. The Tenant shall pay to the Landlord \$2,225.43. 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 20, 2026, the Tenant will start to owe interest. This will be simple interest calculated from June 21, 2026, at 4.00% annually on the balance outstanding.

June 9, 2026
Date Issued

Rebecca Case
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.

**Schedule 1
SUMMARY OF CALCULATIONS**

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

Rent Owing To Move Out Date	\$3,296.11
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,251.28
Less the amount of the interest on the last month's rent deposit	- \$5.40
Total amount owing to the Landlord	\$2,225.43