



**Amended Order under Section 69
Residential Tenancies Act, 2006
and section 21.1 of the Statutory Powers Procedures Act**

File Number: LTB-L-018056-26-AM

In the matter of: Lower, 676 GILCHRIST ST
PETERBOROUGH ON K9H4P3

Between: Lynda Martins Landlord

And

Kim Houckley Tenant
Mike Gavio

This amended order is issued to correct a clerical error of a missing Schedule in the order dated May 13, 2026.

Lynda Martins (the 'Landlord') applied for an order to terminate the tenancy and evict Kim Houckley and Mike Gavio (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on May 11, 2026.

Only the Landlord's representative Alushe Stafa attended the hearing.

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 \$820.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$26.96. This amount is calculated as follows: \$820.00 x 12, divided by 365 days.

5. The Tenant has paid \$1,230.00 to the Landlord since the application was filed.
6. In LTB-L-081343-25-AM, the parties agreed that the Landlord would waive the monthly rent for May and June 2025, therefore the arrears on this application are calculated up to April 30, 2026 only.
7. The rent arrears owing to May 31, 2026 are \$820.00.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
9. The Landlord holds last month's rent deposit in the amount of \$820.00, collected April 1, 2021. No interest has been paid on the deposit. Should the Tenant void this order, this deposit is credit to the rent due July 2026 pursuant to LTB-L-081343-25-AM.
10. 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 be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act. The Tenant was not present to provide evidence surrounding their circumstances.

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:**
 - \$1,006.00 if the payment is made on or before May 24, 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 May 24, 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 May 24, 2026.**
5. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$116.91. This amount includes rent arrears owing up to the date of the hearing (\$820.00), the cost of the application (\$186.00), minus the deposit (\$820.00), and minus interest on the deposit (\$69.09).
6. The Tenant shall also pay the Landlord compensation of \$26.96 per day for the use of the unit starting May 12, 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 May 24, 2026, the Tenant will start to owe interest. This will be simple interest calculated from May 25, 2026 at 4.00% annually on the balance outstanding.

8. If the unit is not vacated on or before May 24, 2026, then starting May 25, 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 May 25, 2026.

May 13, 2026
Date Issued

Brett Lockwood
Member, Landlord and Tenant Board

June 5, 2026
Date Amended
Order Issued

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 November 25, 2026 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 24, 2026

Rent Owing To May 31, 2026	\$820.00
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$1,006.00