



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-019387-26

In the matter of: 136 ROCKFACE TRAIL
CALEDON ON L7C3H1

Between: Patricia Nelson Landlord

And

Janet Campbell Tenants
Alecia Earle
Candice Earle

Patricia Nelson (the 'Landlord') applied for an order to terminate the tenancy and evict Janet Campbell, Alecia Earle and Candice Earle (the 'Tenants') because:

- the Tenants did not pay the rent that the Tenants owe (L1 Application).

The Landlord also applied for an order requiring the Tenants to pay the Landlord's reasonable out-of-pocket costs that are the result of the Tenant's failure to pay utility costs they were required to pay under the terms of the tenancy agreement.

This application was heard by videoconference on May 12, 2026.

The Landlord, their Legal Representative, Yvette Bailey, and the Tenants attended the hearing

Determinations:

L1 Application – Non-Payment of Rent

1. The Landlord served the Tenants with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenants 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 Tenants were still in possession of the rental unit.
3. The lawful rent is \$4,200.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$138.08. This amount is calculated as follows: \$4,200.00 x 12, divided by 365 days.

5. The Tenants have not made any payments since the application was filed.
6. The rent arrears owing to June 11, 2026, are \$19,018.88.
7. There was no dispute by the Tenants as to the amount of rental arrears owing.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

L2 Application –Compensation for Unpaid Utilities

9. The Tenant failed to pay water costs that they were required to pay under the terms of the tenancy agreement.
10. The utility costs owing to the date of the hearing is \$1,060.89. The breakdown of the utility costs are as follows:
 1. \$513.03 for the water bill from December 4, 2025, to March 19, 2026;
 2. \$390.36 for the electricity bill from March 9, 2026, to April 20, 2026; and
 3. \$157.50 for the gas bill from April 2, 2026, to May 1, 2026.
11. There was no dispute by the Tenants as to the amount of utility costs owing.

Relief from Eviction

12. The Landlord sought a standard voidable eviction order, that would provide the Tenant 11 days to pay off all outstanding amounts and void the order.
13. The Landlord testified they reached out to the Tenants to negotiate a payment plan; however, the Tenants were not ultimately responsive to the Landlord's proposition. The Landlord further testified that they were communicating with the Tenant throughout the process of filing the N4 Notice and gave the Tenant multiple occasions to satisfy the arrears owing.
14. The Landlord's Legal Representative then testified that they were not aware of any reason to delay or deny eviction.
15. The Landlord further testified that they were not open to a payment plan due to the lack of effort that the Tenant showed throughout their communications to pay the outstanding arrears.
16. The Tenants testified that they wanted an extended amount of time to pay the arrears; however, the Tenants did not indicate how much time they needed to pay off the arrears. The Tenants also did not provide particulars of a proposed payment plan.
17. The Tenants further testified that they fell into rent arrears for two reasons, namely that Candice Earle and Alecia Earle were no longer working, and that Janet Campbell was not working due to health reasons. The Tenants stated that they were employed at the time the lease agreement was signed, but shortly after, Candice Earle and Janet Campbell

were on employment insurance and Alecia Earle was on maternity leave. The Tenants then again stated they were aware of the amounts outstanding and due to the Landlord.

18. The Tenants further stated that they have children living with them in the property. As well, Janet Campbell has cancer and recently had a hip replacement operation, with her treatment centres located nearby. As well, the Tenants testified that they were in the process of looking for a new rental property and requested that if an eviction is ordered, that they would need at least one to two months to relocate.
19. Having considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), I find that it would not be unfair to grant relief from eviction and find that it would not be unfair to postpone the eviction until July 31, 2026, pursuant to subsection 83(1)(b) of the Act.

It is ordered that:

L1 Application – Non-Payment of Rent

1. The tenancy between the Landlord and the Tenants is terminated unless the Tenants void this order.
2. **The Tenants may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**
 - \$23,404.88 if the payment is made on or before July 11, 2026. See Schedule 1 for the calculation of the amount owing.

OR

- \$27,604.88 if the payment is made on or before July 31, 2026. See Schedule 1 for the calculation of the amount owing.
3. The Tenants may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenants have paid the full amount owing as ordered plus any additional rent that became due after July 31, 2026, but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenants may only make this motion once during the tenancy.
 4. **If the Tenants do not pay the amount required to void this order the Tenants must move out of the rental unit on or before July 31, 2026.**
 5. If the Tenants do not void the order, the Tenants shall pay to the Landlord \$15,062.48. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.
 6. The Tenants shall also pay the Landlord compensation of \$138.08 per day for the use of the unit starting May 13, 2026, until the date the Tenants move out of the unit.
 7. If the Tenants do not pay the Landlord the full amount owing on or before July 31, 2026, the Tenants will start to owe interest. This will be simple interest calculated from August 1, 2026, at 4.00% annually on the balance outstanding.

8. If the unit is not vacated on or before July 31, 2026, then starting August 1, 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 August 1, 2026.

L2 Application –Payment of Utility Costs

10. The Tenants shall pay the Landlord \$1,060.89 for unpaid utilities.
11. If the Tenants do not pay the Landlord the full amount owing on or before June 30, 2026, the Tenants will start to owe interest. This will be simple interest calculated from July 1, 2026, at 4.00% annually on the balance outstanding.

June 11, 2026
Date Issued

Amit Gursaud
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on February 1, 2027, 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 July 11, 2026

Rent Owing To July 11, 2026	\$23,218.88
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$23,404.88

B. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before July 31, 2026

Rent Owing To August 11, 2026	\$27,418.88
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$27,604.88

C. Amount the Tenant must pay if the tenancy is terminated

Rent Owing To Hearing Date	\$14,876.48
Application Filing Fee	\$186.00
Total amount owing to the Landlord	\$15,062.48
Plus daily compensation owing for each day of occupation starting May 13, 2026	\$138.08 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	