



Order under Section 94 Residential Tenancies Act, 2006

File Number: LTB-L-042235-26

In the matter of: 24, 85 SILVER BIRCH AVE
TORONTO ON M4E3L2

Between: MPCT DIF DAM ROBINWOOD GP INC. Landlord

And

Jacqueline Florence Cornfoot Tenant

MPCT DIF DAM ROBINWOOD GP INC. (the 'Landlord') applied for an order to terminate the tenancy and evict Jacqueline Florence Cornfoot (the 'Tenant') because:

- the rental unit is the superintendent's premises and the Tenant's employment as superintendent has ended.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on June 15, 2026.

The Landlord's legal representative Timothy Duggan and the Landlord agent Carol Ross attended the hearing.

As of 9:29am, 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. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy in the application.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Tenant was employed as a superintendent and, as part of their employment, was provided with accommodation in a rental unit specifically used for superintendents.
4. Section 93 of the *Residential Tenancies Act*, 2006 (the "Act") states:

Termination of tenancy

(1) If a landlord has entered into a tenancy agreement with respect to a superintendent's premises, unless otherwise agreed, the tenancy terminates on the day on which the employment of the tenant is terminated. 2006, c. 17, s. 93 (1).

(2) A tenant shall vacate a superintendent's premises within one week after his or her tenancy is terminated. 2006, c. 17, s. 93 (2).

(3) A landlord shall not charge a tenant rent or compensation or receive rent or compensation from a tenant with respect to the one-week period mentioned in subsection (2). 2006, c. 17, s. 93 (3).

5. The position of the Landlord is the employment terminated on May 4, 2026. The Tenant has not vacated the superintendent's premises and more than one week has passed since their employment was terminated.
6. Pursuant to the Act the Landlord is not permitted to charge the Tenant rent for the seven-day period after the employment and tenancy is terminated. In this case the Landlord can claim daily compensation starting May 11, 2026.
7. Based on the monthly rent of \$989.54, the daily compensation is \$32.53. This amount is calculated as follows: $\$989.54 \times 12$, divided by 365 days.
8. The Landlord is not holding a last month rent deposit.
9. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
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 be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.
11. The Tenant did not attend the hearing to provide submissions for my consideration to delay or deny the eviction.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before June 30, 2026.
2. If the unit is not vacated on or before June 30, 2026, then starting July 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
3. 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 July 1, 2026.
4. The Tenant shall also pay the Landlord compensation of \$32.53 per day for the use of the unit starting July 1, 2026 until the date the Tenant moves out of the unit.

5. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
6. The total amount the Tenant must pay the Landlord is \$186.00.
7. If the Tenant does not pay the Landlord the full amount owing on or before June 30, 2026, the Tenant will start to owe interest. This will be simple interest calculated from July 1, 2026 at 4.00% annually on the balance outstanding.

June 24, 2026
Date Issued

Greg Brocanier
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 of the Tenant expires on January 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.