



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

File Number: LTB-L-044637-26

In the matter of: 10310 CALEDON CRT
WINDSOR ON N8R1C6

Between: EDWAR ABOUKASSM Landlord

and

DAVID OBDULIO MONZON CABRERA Tenant
AMELIA DEL CARMEN MONZON

EDWAR ABOUKASSM (the 'Landlord') applied for an order to terminate the tenancy and evict DAVID OBDULIO MONZON CABRERA and AMELIA DEL CARMEN MONZON (the 'Tenant') because:

- the Tenant has been persistently late in paying the Tenant's rent.

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 16, 2026.

Only the Landlord's Legal Representative, Richard Lammers, attended the hearing.

As of 10:42 a.m., 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 that the Tenant has persistently failed to pay their rent on the date it became due. Therefore, the tenancy between the Landlord and the Tenant is terminated on July 31, 2026.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On May 23, 2026, the Landlord left a copy of an N8 notice of termination in the place the Tenant's mail is normally delivered/mailbox. The N8 Notice was deemed served that same day.

4. The N8 Notice alleges the Tenant paid rent late each month commencing in December 2025 through to and including May 2026.
5. Rent is due on the 1st day of each month. The rent ledger attached to the N8 Notice records that the Tenant paid rent late every month from December 2025 to May 2026. As a result, we find the rent was paid late 6 times in the past 6 months.
6. In the above circumstances, we find, the Tenant has persistently failed to pay the rent on the date it was due.
7. The Landlord withdrew their claim for daily compensation.
8. However, the Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
9. There is no last month's rent deposit.

Relief from eviction

10. The Landlord sought an order for termination and eviction as of July 31, 2026, the date of termination in the N8 Notice.
11. The Landlord's Representative testified the Tenant has not paid any rent since the N8 Notice was served. The Landlord's Representative also submitted the Tenant's late payments place the Landlord in financial duress as, in order to meet their commitments to their lenders and remain in good standing, the Landlord requires bridge financing.
12. The Landlord was not aware of any reason to delay or deny eviction.
13. As the Tenant was not present to testify, no other circumstances were presented to us.
14. We 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.

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 July 31, 2026.
2. 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.
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 August 1, 2026.
4. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.

5. If the Tenant does not pay the Landlord the full amount owing on or before July 31, 2026, the Tenant will start to owe interest. This will be simple interest calculated from August 1, 2026, at 4.00% annually on the balance outstanding.

June 25, 2026
Date Issued

Elizabeth Garofalo
Member, Landlord and Tenant Board

Rebecca Case
Vice Chair, 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 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.