



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

File Number: LTB-L-029705-26

In the matter of: 1917 DON WHITE CRT
OSHAWA ON L1K1A1

Between: Gurcharan Jutla Landlord

And

Tera Louise Engley Tenants
Lee Gaskin

Gurcharan Jutla (the 'Landlord') applied for an order to terminate the tenancy and evict Tera Louise Engley and Lee Gaskin (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

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

Only the Landlord's representatives, Gurpreet Jutha and Tarsem Jutla, attended the hearing. The Tenant, Lee Gaskin, signed into the hearing room at approximately 1:00 p.m. However, when the matter was called forward at approximately 2:09 p.m., he disconnected and left the hearing room. The Tenant did not return.

As of 3:00 p.m., neither Tenant was present nor represented at the hearing. There was no record of a request to adjourn the hearing or any notification from the Board's technical support line that the Tenants were experiencing issues signing into or remaining in the hearing room. The Landlord's representative did not have contact information for the Tenants and was unaware of why the Tenant disconnected. As a result, the hearing proceeded in the Tenants' absence.

The Tenant declined to speak to Tenant Duty Counsel.

Determinations:

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 \$2,626.50. It is due on the 1st day of each month.

4. Based on the Monthly rent, the daily rent/compensation is \$86.35. This amount is calculated as follows: \$2,626.50 x 12, divided by 365 days.
5. The Tenants have paid \$5,277.00 to the Landlord since the application was filed.
6. The rent arrears owing to June 30, 2026, are \$10,482.00.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. There is no last month's rent deposit.
9. 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 Tenants and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.
10. As stated, the Tenants did not attend the hearing to make submissions regarding their unique circumstances to consider any discretionary relief from eviction.
11. The Landlord has been trying to negotiate payment terms with the Tenants; however, no such agreement could be reached. The rent arrears have continued to increase despite the ongoing payments made by the Tenants. The Landlord's representatives state that the parties have been before the Board previously and entered into a mediated settlement for previous arrears. The Tenants then fell back into arrears shortly after that previous order and have accumulated significant arrears in this application.
12. On this basis, I find that any further relief would be prejudicial to the Landlord.

It is ordered that:

1. The tenancy between the Landlord and the Tenants are terminated unless the Tenants voids this order.
2. **The Tenants may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**
 - \$10,668.00 if the payment is made on or before June 30, 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 June 30, 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 Tenant must move out of the rental unit on or before June 30, 2026.**
5. If the Tenants do not void the order, the Tenants shall pay to the Landlord \$9,336.75. 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 \$86.35 per day for the use of the unit starting June 16, 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 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.
8. 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.
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 July 1, 2026.

June 19, 2026
Date Issued

Colin Elsby
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 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.

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 June 30, 2026

Rent Owing To June 30, 2026	\$15,759.00
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$5,277.00
Total the Tenant must pay to continue the tenancy	\$10,668.00

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

Rent Owing To Hearing Date	\$14,427.75
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$5,277.00
Total amount owing to the Landlord	\$9,336.75
Plus daily compensation owing for each day of occupation starting June 16, 2026	\$86.35 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	