



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

File Number: LTB-L-041924-26

In the matter of: 654 SUSSEX BLVD
KINGSTON ON K7M 5A8

Between: Jacqueline Tavakoli Landlord

And

Greg Cross Tenants
Krysten Elizabeth Gruenberg

Jacqueline Tavakoli (the 'Landlord') applied for an order to terminate the tenancy and evict Greg Cross and Krysten Elizabeth Gruenberg (the 'Tenants') because:

- the Tenants have been persistently late in paying the Tenants' rent.

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

This application was heard by videoconference on June 18, 2026.

Only the Landlord attended the hearing.

As of 1:30p.m., the Tenants were 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 and the claim for compensation in the application. Therefore, we grant termination of the tenancy and daily compensation.
2. The Tenants were in possession of the rental unit on the date the application was filed.
3. N8 Notice of Termination

On March 12, 2026, the Landlord gave the Tenants an N8 notice of termination, deemed served on May 12, 2026. The notice of termination contains the following allegations: that the Tenants failed to pay rent on time for eleven months, within the period of April 2025 to June 2026.

4. Persistently Late

The Tenants have persistently failed to pay the rent on the date it was due. The rent is due on the first day of each month. The rent has been paid late eleven times in the past fourteen months.

After the N8 Notice was served, the Tenants paid rent for April late, May on time, and have not paid rent for June to the date of the hearing.

5. Daily compensation, NSF charges, rent deposit

The Tenants are required to pay the Landlord \$1,094.76 in daily compensation for use and occupation of the rental unit for the period from June 1, 2026 to June 18, 2026.

6. Based on the monthly rent, the daily compensation is \$60.82. This amount is calculated as follows: \$1,850.00 x 12, divided by 365 days.
7. The Landlord did not claim NSF charges.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
9. The Landlord collected a rent deposit of \$1,850.00 from the Tenants and this deposit is still being held by the Landlord. Interest on the rent deposit, in the amount of \$119.11 is owing to the Tenants for the period from October 12, 2023, to June 18, 2026.
10. Based on the uncontested evidence before us, 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. The Landlord testified that the situation is stressful and that it is putting pressure on them regarding the Landlord's mortgage payments. The Tenants were not present to make submissions on any relief sought.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before July 4, 2026.
2. If the unit is not vacated on or before July 4, 2026, then starting July 5, 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 5, 2026.
4. The Tenants shall pay to the Landlord \$1,094.76, which represents compensation for the use of the unit from June 1, 2026, to June 18, 2026.
5. The Tenants shall also pay the Landlord compensation of \$60.82 per day for the use of the unit starting June 19, 2026, until the date the Tenants moves out of the unit.
6. The Tenants shall also pay to the Landlord \$186.00 for the cost of filing the application.

7. The Landlord owes \$1,969.11 which is the amount of the rent deposit and interest on the rent deposit, and this is deducted from the amount owing by the Tenants.
8. As of the date of the hearing, the amount of the rent deposit and interest the Landlord owes on the rent deposit exceeds the amount the Landlord is entitled to by \$688.35.
9. However, the Landlord is authorized to deduct from amount owing to the Tenants \$60.82 per day for compensation for the use of the unit starting June 19, 2026, to the date the Tenants moves out of the unit.
10. The Landlord or the Tenants shall pay to the other any sum of money that is owed as a result of this order.

June 23, 2026
Date Issued

Kristina Klein
Member, Landlord and Tenant Board

Amanda Kovats
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 Tenants expires on January 5, 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.