



Order under Section 69 Residential Tenancies Act, 2006

Citation: Badawi v Clairmont, 2026 ONLTB 48373

Date: 2026-06-22

File Number: LTB-L-018361-26

In the matter of: BASEMENT, 139 WILLOW LANE
NEWMARKET ON L3Y4J1

Between: Jacqueline Badawi

Landlord

And

Shaylene Clairmont
Laurie Clairmont
David Escott

Tenants

Jacqueline Badawi (the 'Landlord') applied for an order to terminate the tenancy and evict Shaylene Clairmont, Laurie Clairmont and David Escott (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on June 16, 2026.

The Landlord's support person, Riz Sayes, the Landlord and the Tenants' Representative, Steven Li attended the hearing.

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 \$2,100.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$69.04. This amount is calculated as follows: \$2,100.00 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 30, 2026, are \$10,500.00.

7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord collected a rent deposit of \$2,100.00 from the Tenants and this deposit is still being held by the Landlord. The rent deposit can only be applied to the last rental period of the tenancy if the tenancy is terminated.
9. Interest on the rent deposit, in the amount of \$27.67 is owing to the Tenants for the period from October 31, 2025, to June 16, 2026.

Section 83 Considerations

10. The Tenants were not in attendance. While the Tenants' Legal Representative understood that an adjournment of the application would not be appropriate, the Tenants' Legal Representative requested as much additional time as possible to allow the Tenants to either void the order, or to vacate the unit.
11. The Tenants have three children ages 2, 3 and 6. The Tenants' Legal Representative had been unable to get in touch with the Tenants prior to the hearing date.
12. That said, this tenancy only began on November 1, 2025, and the Tenants have only paid rent for three out of eight months. Their absence, coupled with their inability to contact their legal representative in advance of the hearing date after the matter had already been adjourned shows me that the Tenants do intend on paying any more rent to the Landlord.
13. The Landlords hold a last month's rent deposit. The Tenants will be given until July 31, 2026 to either void the order or to vacate the unit.
14. 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 not be unfair to postpone the eviction until July 31, 2026, pursuant to subsection 83(1)(b) of the Act.

It is ordered that:

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:**
 - \$10,686.00 if the payment is made on or before June 30, 2026. See Schedule 1 for the calculation of the amount owing.

OR

- \$12,786.00 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 \$7,562.97. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit are deducted from the amount owing by the Tenants. See Schedule 1 for the calculation of the amount owing.
6. The Tenants shall also pay the Landlord compensation of \$69.04 per day for the use of the unit starting June 17, 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.

June 22, 2026
Date Issued

Jagger Benham
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 Tenants 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	\$10,500.00
Application Filing Fee	\$186.00
Total the Tenants must pay to continue the tenancy	\$10,686.00

B. Amount the Tenants 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 July 31, 2026	\$12,600.00
Application Filing Fee	\$186.00
Total the Tenants must pay to continue the tenancy	\$12,786.00

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

Rent Owing To Hearing Date	\$9,504.64
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$2,100.00
Less the amount of the interest on the last month's rent deposit	- \$27.67
Total amount owing to the Landlord	\$7,562.97
Plus, daily compensation owing for each day of occupation starting June 17, 2026	\$69.04 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	