



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

File Number: LTB-L-032584-26

In the matter of: 1, 72 CHATHAM ST
KINGSTON ON K7K4G8

Between: Marco Fernetich Landlord

And

Melissa Lawson Tenant
Chris McEvoy

When the capitalized word “Landlord” is used in this order, it refers to all persons or companies identified as a Landlord at the top of the order. When the capitalized word “Tenant” is used in this order, it refers to all persons identified as a Tenant at the top of the order.

Marco Fernetich (the 'Landlord') applied for an order to terminate the tenancy and evict Melissa Lawson and Chris McEvoy (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on June 17, 2026.

Only the Landlord’s legal representative Lorrie McCullough attended the hearing.

As of 1:20 p.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. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the notice or before the day 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 \$1,672.00. It is due on the 1st day of each month.

4. The rent arrears owing to June 30, 2026 are \$7,501.00.
5. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
6. Accordingly, the total amount the Tenant owes the Landlord is \$7,687.00.
7. The parties agreed to a *Payment Agreement* as filed with the Board on April 27, 2026, as no order was issued pursuant to s. 206 of RTA, the Landlord sought an order representing the same terms as reflected in the agreement.
8. 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 not be unfair to grant relief from eviction subject to the conditions set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act.
9. While the terms of the agreement have been duplicated in this order, the Landlord's representative submitted that the first payment of \$3,000.00 as payable on or before June 1, 2026 has been satisfied. Therefore, should the Tenants breach this order, the first instance that may be considered pursuant to section 78 of the Act is any breach beyond this date.

It is ordered that:

1. The Tenant shall pay to the Landlord \$7,687.00 for arrears of rent up to June 30, 2026 and costs.
2. The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:
 - \$3,000.00 on or before June 1, 2026;
 - \$328.00 on or before July 1, 2026;
 - \$328.00 on or before August 1, 2026;
 - \$328.00 on or before September 1, 2026;
 - \$328.00 on or before October 1, 2026;
 - \$328.00 on or before November 1, 2026;
 - \$328.00 on or before December 1, 2026;
 - \$328.00 on or before January 1, 2027;
 - \$328.00 on or before February 1, 2027;
 - \$328.00 on or before March 1, 2027;
 - \$328.00 on or before April 1, 2027;

- \$328.00 on or before May 1, 2027;
 - \$328.00 on or before June 1, 2027;
 - \$328.00 on or before July 1, 2027; and
 - \$423.00 on or before August 1, 2027.
3. The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period June 2026 to August 2027, or until the arrears are paid in full, whichever date is earliest.
4. If the Tenant fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after June 30, 2026.

June 23, 2026
Date Issued

Alicia Johnson
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.