



Order under Section 69 Residential Tenancies Act, 2006

Citation: Hamilton v Dias, 2026 ONLTB 49438

Date: 2026-06-24

File Number: LTB-L-030286-26

In the matter of: 2413, 98 LILLIAN ST
Vancouver ON M4S0A5

Between: Erin Hamilton Landlord

And

Amy Dias Tenant

Erin Hamilton (the 'Landlord') applied for an order to terminate the tenancy and evict Amy Dias (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

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

The Landlord and the Tenant attended the hearing.

Determinations:

1. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant 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. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Tenant vacated the rental unit on May 1, 2026. Rent arrears are calculated up to the date the Tenant vacated the unit
4. The lawful rent is \$2,950.00. It was due on the 1st day of each month.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to May 1, 2026 are \$4,996.99.
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. The Landlord submitted that she would be agreeable to a 12-month payment plan to allow the Tenant additional time to pay the arrears owing.
10. The Tenant did not dispute the arrears owing. However, the Tenant testified that she is experiencing financial difficulties and is therefore unable to propose a viable payment plan. As the Tenant is unable to offer a feasible payment plan and the tenancy has already terminated, I find that an arrears-only order is appropriate in the circumstances.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of May 1, 2026, the date the Tenant moved out of the rental unit.
2. The Tenant shall pay to the Landlord \$5,182.99. This amount includes rent arrears owing up to the date the Tenant moved out of the rental unit and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.
3. If the Tenant does not pay the Landlord the full amount owing on or before July 5, 2026, the Tenant will start to owe interest. This will be simple interest calculated from July 6, 2026 at 4.00% annually on the balance outstanding.

June 24, 2026
Date Issued

Mayra Sawicki
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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenant must pay as the tenancy is terminated

Rent Owing To Move Out Date	\$4,996.99
Application Filing Fee	\$186.00
Total amount owing to the Landlord	\$5,182.99