



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

File Number: LTB-L-109445-25

In the matter of: 1, 70 PARKSIDE DRIVE
BARRIE ON L4N1X1

Between: Edith Abel-Dakovic Landlord

And

Andrew Burke Tenant

Edith Abel-Dakovic (the 'Landlord') applied for an order to terminate the tenancy and evict Andrew Burke (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on June 22, 2026.

Only the Landlord attended the hearing.

As of 9:37 a.m., the Tenant was 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 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 June 15, 2026. Rent arrears are calculated up to November 30, 2025 for the reasons that follow.

Arrears calculation

4. The lawful monthly rent was \$912.25 and was due on the first day of each month.
5. The Landlord previously obtained Board Order LTB-L-015145-25 (the 'Board Order'), which was issued on April 29, 2026.

6. Pursuant to the Board Order, which addressed an N12 Notice of Termination (the 'N12 Notice'), the tenancy was terminated effective May 31, 2026. The Board Order directed that the Tenant's last month's rent deposit be applied to the last month of the tenancy, being May 2026. The Board Order also required the Landlord to pay interest on the last month's rent deposit for the period from May 9, 2014, to April 14, 2026.
7. The Board Order further requires the Tenant to pay the Landlord \$29.99 per day for each day the Tenant remained in possession of the rental unit after May 31, 2026.
8. The Landlord testified that the rent for December 2025 was waived as compensation equivalent to one month's rent, as required under the *Residential Tenancies Act, 2006* in relation to the N12 Notice.
9. The evidence before the Board establishes that the Tenant paid the monthly rent for the period from January 2026 through April 2026. However, no additional payments towards the arrears have been received from the Tenant.
10. The application seeks arrears of rent outstanding as of November 30, 2025. Based on the evidence before the Board, the rent owing for the period after November 30, 2025, has either been paid by the Tenant or has been otherwise addressed by the Board Order. Accordingly, the arrears of rent are calculated only to November 30, 2025. The Tenant has not made any payments since the application was filed.
11. The rent arrears owing to November 30, 2025 are \$1,892.25.
12. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The Tenant shall pay to the Landlord \$2,078.25. This amount includes rent arrears owing up to November 30, 2025 and the cost of filing the application.
2. 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

Christina Philp
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.