



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

File Number: LTB-L-036479-26

In the matter of: 1407, 701 DON MILLS RD null
EAST YORK ON M3C1R9

Between: ELM PLACE INC - 701 DON MILLS ROAD Landlord

And

Anastassios Sourbis Tenant

ELM PLACE INC - 701 DON MILLS ROAD (the 'Landlord') applied for an order to terminate the tenancy and evict Anastassios Sourbis (the 'Tenant') because the Tenant has been persistently late in paying the Tenant's rent.

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

This application was heard by videoconference on June 23, 2026.

Only the Landlord's Representative Sharon Harris attended the hearing.

As of 9:28 am, 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 Tenant was in possession of the rental unit on the date the application was filed.
2. On February 19, 2026, the Landlord gave the Tenant an N8 notice of termination. The notice of termination allegation the Tenant has persistently paid rent late.
3. The Landlord's Representative's evidence was the Tenant has persistently failed to pay the lawful rent on the date it was due. At the time of the service of the N8 notice the rent had been paid late twelve of the previous twelve months.
4. Section 58 of the *Residential Tenancies Act, 2006*, (the 'Act') sets out that a landlord may give a tenant notice of termination of their tenancy if the tenant has persistently failed to pay rent on the date it becomes due and payable (N8 notice). The Landlord served the Tenants with an N8 notice with a termination date of April 30, 2026.

5. I accept the uncontested evidence of the Landlord's Representative and am satisfied, on a balance of probabilities, that the Tenant has persistently failed to pay the rent on the date it was due.
6. At the hearing, the Landlord's Representative no longer sought eviction as the Tenant has made efforts to pay their rent on time. The Landlord's Representative requested a conditional order requiring the Tenant to pay their rent on time for a period of 12 months.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs. A balance of \$183.32 remains outstanding.
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.

It is ordered that:

1. The Tenant shall pay to the Landlord the full rent owing on or before the first day of each month commencing July 1, 2026, and for 12 months thereafter up to and including June 1, 2027.
2. If the Tenant fails to comply with the conditions set out in paragraph 1 of this order, the Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant. The Landlord must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Tenant.
3. The Tenant shall pay to the Landlord \$183.32 for the balance owing of the cost of filing the application.
4. If the Tenant does not pay the Landlord the full amount owing on or before July 15, 2026, the Tenant will start to owe interest. This will be simple interest calculated from July 16, 2026 at 4.00% annually on the balance outstanding.

June 26, 2026
Date Issued

Brenda Mercer
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.