



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

File Number: LTB-L-033583-26

In the matter of: 305, 243 CORDOVA RD
OSHAWA ON K9A 4J8

Between: Achiever Real Holdings Landlord

and
(Estate of) Doug Pierce Tenant

Achiever Real Holdings (the 'Landlord') applied for an order to terminate the tenancy and evict Doug Pierce (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on June 18, 2026.

Only the Landlord, Darrin Mackie, attended the hearing.

As of 2:14 p.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the Board. 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 Landlord testified that the Tenant passed away on May 12, 2026. The Tenant's family still has possession of the rental property because they are moving the Tenant's belongings out of the unit. The Landlord also confirmed that Mr. Pierce lived alone in the rental unit and was the sole Tenant.
3. In accordance with subsection 91(1), of the *Residential Tenancies Act, 2006* (the 'Act'), if a Tenant of a rental unit dies and there are no other Tenants of the rental unit, the tenancy shall be deemed to be terminated 30 days after the death of the Tenant. In this case the tenancy was deemed terminated on June 11, 2026, which is 30 days after the death of the Tenant.
4. The lawful rent is \$955.00. It is due on the 1st day of each month.

5. The Tenant has not made any payments since the application was filed. The rent arrears owing to June 11, 2026, are \$4,815.40.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. The Landlord collected a rent deposit of \$880.00 from the Tenant 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. Interest on the rent deposit, in the amount of \$151.65 is owing to the Tenant for the period from March 1, 2017, to June 18, 2026.

Relief from Eviction

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 be unfair to grant relief from eviction pursuant to subsection 83(1)(a) of the Act. As noted, the tenancy terminated effective June 11, 2026 as a result of the Tenant's death.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated effective June 11, 2026.
2. The Tenant shall pay to the Landlord \$3,970.11. See Schedule 1 for the calculation of the amount owing. If the Tenant does not pay the Landlord the full amount owing on or before July 4, 2026, the Tenant will start to owe interest. This will be simple interest calculated from July 5, 2026 at 4.00% annually on the balance outstanding.
3. The Tenant shall also pay the Landlord compensation of \$31.40 per day for the use of the unit starting June 19, 2026, until the date the Tenant moves out of the unit.
4. If the unit is not vacated on or before July 4, 2026, then starting July 5, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced. 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 July 5, 2026.

June 24, 2026

Date Issued

Adeela Alvez

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 January 5, 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 Tenant must pay

Rent Owing To June 11, 2026	\$4,815.40
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$880.00
Less the amount of the interest on the last month's rent deposit	- \$151.29
Total amount owing to the Landlord	\$3,970.11