



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

File Number: LTB-L-029961-26

In the matter of: 46, 7701 LUNDY'S LANE
NIAGARA FALLS ON L2H1H3

Between: 1000706636 Ontario Inc. Landlords
Cyrus Gatta

And

Jennifer Ford Tenants
David Glass

1000706636 Ontario Inc. and Cyrus Gatta (the 'Landlords') applied for an order to terminate the tenancy and evict Jennifer Ford and David Glass (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on June 24, 2026.

Only the Landlord, Paula Burgess, attended the hearing.

As of 1:00 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 Landlords' evidence.

Determinations:

Request to amend L1 application

1. At the start of the hearing, I raised a preliminary issue with respect to the Certificate of Service and N4 Notice of Termination identifying the rental unit as unit 46. However, the L1 application, did not identify a unit number.
2. The Landlord's representative submitted that the omission of the unit number from the L1 application was a typographical error and requested that the application be amended to identify the rental unit as unit 46. The Board's records indicate that the Notice of Hearing was mailed to the Tenant and addressed to unit 46. As a result, I am satisfied that the Tenant received the Notice of Hearing and was aware of the hearing.
3. Pursuant to section 201 of the *Residential Tenancies Act, 2006*, the ("Act"), the application is amended to identify the rental unit as unit 46.

Arrears

4. The Landlords served the Tenants with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenants 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.
5. As of the hearing date, the Tenants were still in possession of the rental unit.
6. The lawful rent is \$1,400.00. It is due on the 1st day of each month.
7. Based on the Monthly rent, the daily rent/compensation is \$46.03. This amount is calculated as follows: \$1,400.00 x 12, divided by 365 days.
8. The Tenants have not made any payments since the application was filed.
9. The rent arrears owing to June 30, 2026, are \$7,000.00.
10. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
11. The Landlords collected a rent deposit of \$1,400.00 from the Tenants and this deposit is still being held by the Landlords. The rent deposit can only be applied to the last rental period of the tenancy if the tenancy is terminated.
12. Interest on the rent deposit, in the amount of \$17.64 is owing to the Tenants for the period from November 18, 2025, to June 24, 2026.
13. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), including whether the Landlords attempted to negotiate a repayment agreement with the Tenants and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

It is ordered that:

1. The tenancy between the Landlords and the Tenants is terminated unless the Tenants void this order.
 2. **The Tenants may void this order and continue the tenancy by paying to the Landlords or to the LTB in trust:**
 - \$7,186.00 if the payment is made on or before June 30, 2026. See Schedule 1 for the calculation of the amount owing.
- OR**
- \$8,586.00 if the payment is made on or before July 10, 2026. See Schedule 1 for the calculation of the amount owing.
 3. The Tenants may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenants have paid the full amount owing as ordered plus any additional rent

that became due after July 10, 2026, but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenants may only make this motion once during the tenancy.

4. **If the Tenants do not pay the amount required to void this order the Tenants must move out of the rental unit on or before July 10, 2026.**
5. If the Tenants do not void the order, the Tenants shall pay to the Landlords \$5,473.08. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. The rent deposit and interest the Landlords owe on the rent deposit are deducted from the amount owing by the Tenants. See Schedule 1 for the calculation of the amount owing.
6. The Tenants shall also pay the Landlords compensation of \$46.03 per day for the use of the unit starting June 25, 2026, until the date the Tenants move out of the unit.
7. If the Tenants do not pay the Landlords the full amount owing on or before July 10, 2026, the Tenants will start to owe interest. This will be simple interest calculated from July 11, 2026, at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before July 10, 2026, then starting July 11, 2026, the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlords on or after July 11, 2026.

June 29, 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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on January 11, 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 Tenants must pay to void the eviction order and continue the tenancy if the payment is made on or before June 30, 2026

Rent Owing to June 30, 2026	\$7,000.00
Application Filing Fee	\$186.00
Total the Tenants must pay to continue the tenancy	\$7,186.00

B. Amount the Tenants must pay to void the eviction order and continue the tenancy if the payment is made on or before July 10, 2026

Rent Owing to July 31, 2026	\$8,400.00
Application Filing Fee	\$186.00
Total the Tenants must pay to continue the tenancy	\$8,586.00

C. Amount the Tenants must pay if the tenancy is terminated

Rent Owing to Hearing Date	\$6,704.72
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,400.00
Less the amount of the interest on the last month's rent deposit	- \$17.64
Total amount owing to the Landlords	\$5,473.08
Plus, daily compensation owing for each day of occupation starting June 25, 2026	\$46.03 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	