



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

**Citation:** Pispidikis v Cormier, 2022 ONLTB 12870

**Date:** 2022-11-28

**File Number:** LTB-L-020472-22

**In the matter of:** Rear-796 Dundas Street  
London, ON N5W 2Z7

**Between:** Michael Pispidikis Landlord

**And**

Ron Cormier Tenant

Michael Pispidikis (the 'Landlord') applied for an order to terminate the tenancy and evict Ron Cormier (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on October 25, 2022.

The Landlord's Legal Representative Robert Rose and the Tenant attended the hearing. The Tenant spoke with Tenant Duty Counsel prior to 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. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$750.00. It is due on the 1st day of each month.
4. The Tenant has paid \$2,000.00 to the Landlord since the application was filed.
5. The rent arrears owing to October 31, 2022 are \$4,750.00.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. The total amount the Tenant owes the Landlord is \$4,936.00 (\$4,750.00 + \$186.00).
8. The Tenant acknowledges the arrears and has proposed paying an additional \$750.00 a month in order to repay the arrears. The Tenant testified that he has a new job and that he plans on repaying the arrears within 6 months.
9. The Tenant's proposed repayment plan is reasonable and is supported by his evidence that he has taken on a new job.

10. 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 pursuant to subsection 83(1)(a) of the Act.

**It is ordered that:**

11. The Tenant shall pay to the Landlord \$4,936.00 as follows:

a) On or before the 1<sup>st</sup> of the month starting January 1, 2023 until June 1, 2023, \$750.00 in addition to the regular lawful rent.

b) On or before July 1, 2023, \$436.00 in addition to the regular lawful rent.

12. If the Tenant does not make the payments in accordance with this order, the Landlord may apply to the Board under s. 78 of the Act without notice to the Tenant for an order terminating the tenancy and evicting the Tenant. The Landlord must make this application no later than 30 days after the Tenant's failure to make a payment. As part of the application, the Landlord can also request an order for new arrears, NSF cheque fees and related administrative charges and the cost of filing the application.

**November 28, 2022**

**Date Issued**

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Jagger Benham

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.

