



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

File Number: LTB-L-084319-25

In the matter of: UNIT 4, 131 AVON AVE
YORK ON M6N3X1

Between: Jianwei (Richard) Ge Landlord

And

Rajendra Sundar Tenants
Shawn Sundar

Jianwei (Richard) Ge (the 'Landlord') applied for an order to terminate the tenancy and evict Rajendra Sundar and Shawn Sundar (the 'Tenants') because:

- the Tenants have been persistently late in paying the Tenants' rent.

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

This application was heard by videoconference on December 16, 2025.

The Landlord, legal representative, Tom Li, a licensed paralegal, and the Tenant Rajendra Sundar on behalf of both Tenants attended the hearing. Mr. Sundar was assisted throughout the hearing by his son Ricki Sundar.

Determinations:

1. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy and the claim for compensation in the application. However, I find that it would not be unfair to grant relief from eviction. Therefore, I have made the conditional order set out below.
2. The Tenants were in possession of the rental unit on the date the application was filed.
3. On September 28, 2025, the Landlord gave the Tenants an N8 notice of termination effective November 30, 2025. The notice of termination contains the following allegation: that the Tenants paid the rent late 17 of 17 months during the period May 2024 to September 2025.

4. The Tenants have persistently failed to pay the rent on the date it was due. The rent is due on the 1st day of each month. The Tenant agreed that the Landlord's rent ledger attached to the N8 notice accurately reflects the dates of payment of rent during the period set out. Specifically, the rent for May 2024 was paid on May 6th, the June rent was paid on June 3rd, the rent for July was paid on July 3rd, the rent for August was paid on August 6th, the September rent was paid on the 4th. In October the rent was paid on the 3rd, in November it was paid on the 4th and December it was again paid on the 3rd of December. In the period January to September 2025, the rent was paid between one and 5 days late each month.
5. Following service of the N8, the rent for October was paid on October 6th, the rent for November on the 4th and the rent for December was paid December 2nd.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), including the Landlord's desire to preserve the tenancy and find that it would not be unfair to grant relief from eviction pursuant to subsection 83(1)(a) of the Act.
8. I have made this order despite the Tenant's strenuous objection. Firstly, the Tenant stated that he has been paying the rent late for many years of this 18-year tenancy and that he does not feel that he should pay on the 1st of the month just because there is a new owner of the building. I explained to the Tenant that the new owner is not bound by the previous owner's forbearance and that this previous concession is a factor in granting relief from eviction. Further the Tenant complained that his source of income is ODSP because he is in ill health. He stated that it is difficult for him to go to the bank and pay the Landlord on the 1st day of the month if he is not feeling well. The Tenant was advised to embrace a system of on-line payments or automatic withdrawals to solve this problem.
9. The consequences of not abiding by the terms of the conditional order below were clearly explained to the Tenant and his son.

It is ordered that:

1. The tenancy between the Landlord and the Tenants continues if the Tenants meet the conditions set out below.
2. The Tenants shall pay their lawful monthly rent by the 1st day of each month beginning February 1, 2026 until January 1, 2027.
3. If the Tenants fail to comply with the conditions set out in paragraph 2 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 Tenants. 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 Tenants.

4. The Tenants shall pay to the Landlord \$186.00 for the cost of filing the application.
5. If the Tenants do not pay the Landlord the full amount owing on or before January 20, 2026, the Tenants will start to owe interest. This will be simple interest calculated from January 21, 2026 at 4.00% annually on the balance outstanding.

January 9, 2026
Date Issued

Christina Budweth
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.