



**Order under Section 69 / 88.1 / 88.2
Residential Tenancies Act, 2006**

Citation: Ye v Hafshejani, 2026 ONLTB 894

Date: 2026-01-07

File Number: LTB-L-037005-25

In the matter of: UPPER, 38 FOXBERRY RD
EAST GWILLIMBURY ON L9N0P6

Between: Pengcheng Ye Landlords
Yanping Wang

And

Donya Darvish Hafshejani Tenant

Pengcheng Ye and Yanping Wang (the 'Landlords') applied for an order to terminate the tenancy and evict Donya Darvish Hafshejani (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlords or another tenant;
- the Tenant has been persistently late in paying the Tenant's rent.

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

The Landlords also applied for an order requiring Donya Darvish Hafshejani (the 'Tenant') to pay the Landlords's reasonable out-of-pocket expenses that are the result of the Tenant's failure to pay utility costs they were required to pay under the terms of the tenancy agreement.

This application was heard by videoconference on September 9, 2025.

Only the Landlords' legal representative, Yun Tao Li, attended the hearing.

As of 12:51 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 Landlords' evidence.

Determinations:

1. As explained below, the Landlords have proven on a balance of probabilities the grounds for compensation in the application. Therefore, the Tenant shall pay the Landlords \$1,914.95 for unpaid utilities.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Tenant vacated the rental unit on August 31, 2025.

N5 Notice of Termination

4. On April 18, 2025, the Landlords gave the Tenant an N5 notice of termination. The notice of termination contains the following allegations: the Tenant has not paid electricity, gas, water, or water heater invoices totalling \$3,764.30.
5. The Tenant did not correct the omission within seven days after receiving the N5 notice of termination. Therefore, the Tenant did not void the N5 notice of termination in accordance with s.64(3) of the *Residential Tenancies Act, 2006* (Act).

N8 Notice of Termination

6. The N8 notice is moot as the Tenant has vacated the rental unit since it was served.

Daily compensation, rent deposit, application filing fee

7. The Landlord is not pursuing a claim for daily compensation. There is no last month's rent deposit.
8. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

Compensation for unpaid utilities

9. The Tenant failed to pay heat, electricity and water costs that they were required to pay under the terms of the tenancy agreement.
10. The Landlords incurred reasonable out-of-pocket expenses of \$1,728.95 as a result of the Tenant's failure to pay heat, electricity and water costs. The Landlords submitted invoices totalling \$384.79 for water, \$682.41 for electricity, \$533.49 for gas, and \$128.26 for water heater costs the Tenant was responsible for.

It is ordered that:

1. The tenancy between the Landlords and the Tenant is terminated as of August 31, 2025.
2. The Tenant shall pay to the Landlords \$1,728.95, which represents the reasonable out-of-pocket expenses the Landlords have incurred or will incur as a result of the unpaid utility costs.

3. The Tenant shall also pay to the Landlords \$186.00 for the cost of filing the application.
4. The total amount the Tenant must pay the Landlords is \$1,914.95.
5. If the Tenant does not pay the Landlords the full amount owing on or before January 18, 2026, the Tenant will start to owe interest. This will be simple interest calculated from January 19, 2026 at 4.00% annually on the balance outstanding.

January 7, 2026
Date Issued

Dawn Carr
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.