



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-081141-25

In the matter of: 478 MCDOUGALL ST
WINDSOR ON N9A1L4

Between: Windsor Essex Community Housing Corporation Landlord

And

Roghieh Yaseri Tenant
Mohamed Al Rihily

Windsor Essex Community Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Roghieh Yaseri and Mohamed Al Rihily (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

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

Only the Landlord's legal representative Brandon Valley attended the hearing.

As of 1:40 p.m., 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 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. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$142.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$4.67. This amount is calculated as follows: \$142.00 x 12, divided by 365 days.
5. The Tenant has paid \$15,056.00 to the Landlord since the application was filed.
6. The rent arrears owing to December 31, 2025 are \$650.00.

7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. There is no last month's rent deposit.
9. 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.
10. The Tenant has paid off the substantial majority of the arrears: only \$650.00 remains owing. The Landlord's legal representative confirmed at the hearing that the Tenant has requalified for their housing subsidy and the rent for the rental unit is only \$142.00 per month. In light of these facts, there is little to no prejudice to the Landlord in ordering the Tenant to pay the remaining arrears to the Landlord while denying the application to terminate the tenancy.
11. In exercising my discretion to grant relief from eviction, I have also considered the fact that a child resides in the rental unit.

It is ordered that:

1. The Tenant shall pay to the Landlord \$836.00, representing the total arrears of rent owing to December 31, 2025 and the Landlord's cost of filing this application.
2. If the Tenant does not pay the Landlord the full amount owing on or before January 31, 2026, the Tenant will start to owe interest. This will be simple interest calculated from February 1, 2026 at 4.00% annually on the balance outstanding.

January 5, 2026
Date Issued

Jeremy Henderson
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.