



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-086727-25

In the matter of: 1, 447 Catherine St
Ottawa ON K1R5T2

Between: Tony Mikhael Landlord

And

Ahmed Ziaei Tenant

Tony Mikhael (the 'Landlord') applied for an order to terminate the tenancy and evict Ahmed Ziaei (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 8, 2026. The Landlord and the Tenant attended the hearing. Masoud Pourran provided translation service to the Tenant. The Tenant met with Duty Counsel prior to the commencement of 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 Tenant did not present any evidence to support his position that the lawful monthly rent is \$1,800.00. A review of the account ledger establishes that the Tenant paid \$1,800.00 a month in rent until he fell into arrears. Based on a preponderance of the evidence, I am satisfied the lawful rent is \$1,800.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$59.18. This amount is calculated as follows: \$1,800.00 x 12, divided by 365 days.
5. The Tenant has paid \$3,600.00 to the Landlord since the application was filed.
6. The rent arrears owing to January 31, 2026 are \$20,500.00.
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 subject to the conditions set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act.
10. The Landlord indicated that he wanted to give the Tenant an opportunity to preserve the tenancy by paying \$200.00 a month towards the arrears along with the lawful monthly rent. The Tenant was agreeable to this payment plan.

It is ordered that:

1. The Tenant owes the Landlord \$20,686.00 in arrears and costs to January 31, 2026.
2. The Landlord's application to terminate the tenancy and evict the Tenant is denied, subject to the condition that the Tenant pays to the Landlord \$20,686.00 as follows:
 - a) Starting February 2026 through to and including July 2034, the Tenant shall pay the Landlord \$200.00 on or before the 1st day of each month.
 - b) On or before August 1, 2034, the Tenant shall pay the Landlord \$286.00.
3. Starting February 2026 through to and including August 2034, the Tenant shall pay the lawful monthly rent on or before the 1st day of each month.
4. If the Tenant fails to make any one of the payments in accordance with paragraphs 2 and 3 of this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenant, and within 30 days of any breach of the order, apply to the Board pursuant to section 78 of the *Residential Tenancies Act, 2006* for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pays any new arrears, NSF fees and related charges that became owing after January 31, 2026.

January 15, 2026
Date Issued

Dawn Sullivan
Vice Chair, 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.