



Order under Section 69 Residential Tenancies Act, 2006

Citation: 77 Howard Residences v Mohammed, 2026 ONLTB 7270

Date: 2026-01-27

File Number: LTB-L-095534-25

In the matter of: 503, 77 HOWARD ST
TORONTO ON M4X1J9

Between: 77 Howard Residences Landlord

And

Yasser Mohammed Tenants
Syeda Fatima

77 Howard Residences (the 'Landlord') applied for an order to terminate the tenancy and evict Yasser Mohammed and Syeda Fatima (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 January 19, 2026. Only the Landlord's Legal Representative, Charlie Bobrowsky, attended the hearing.

As of 9:56 a.m., the Tenants were 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. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy. However, having considered all the circumstances pursuant to s.83 of the *Residential Tenancies Act, 2006* (the 'Act'), the tenancy shall continue provided that the Tenants comply with the conditions ordered below.
2. The Tenants were in possession of the rental unit on the date the application was filed.
3. On November 11, 2025, the Landlord gave the Tenants an N8 notice of termination with a termination date of January 31, 2026 (the 'N8 Notice'). The N8 Notice alleges that the Tenants failed to pay the rent on the date it was due 10 times from August 2024 to November 2025.

Persistently Late

4. Based on the uncontested evidence of the Landlord, I find that the Tenants have persistently failed to pay the rent on the date it was due and payable. The rent is due on the 1st day of each month. The details of the persistent late payments are as follows:
 - rent for August to December 2024 was paid late; and
 - rent for May, August, September, October and November 2025 was paid late.
5. The Landlord's Legal Representative submitted that the Tenants paid the rent in full and on time since the N8 Notice was served.

Relief from eviction / Section 83 of the Act

6. The Landlord's Legal Representative requested a conditional order requiring the Tenants to pay the rent in full and on time for one year as well as the filing fee of \$186.00, which cost the Landlord incurred to file the application.
7. As the Tenants have paid the rent on time since the N8 Notice was served, and the Landlord was agreeable, I find the conditional order requested to be appropriate in the circumstances. This will give the Landlord some predictability with respect to the rent payments and give the Tenants an opportunity to rehabilitate the tenancy and remain housed.
8. Accordingly, I have considered all of the disclosed circumstances in accordance with subsection 83(2) of 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.

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 the rent in full, on or before the 1st day of each and every month, for a period of 12 months, commencing February 1, 2026 to 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 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 under paragraph 4 of this order, on or before February 7, 2026, the Tenants will start to owe interest. This will be

simple interest calculated from February 8, 2026 at 4.00% annually on the balance outstanding.

January 27, 2026

Date Issued

Rachel Gibbons

Member, Landlord and Tenants 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.