



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-100478-25

In the matter of: 413, 2233 EGLINTON AVE E
SCARBOROUGH ON M1K2M9

Between: 736923 Ontario Ltd. Landlord

And

Tesfay Asteraye Tsegay Tenant

736923 Ontario Ltd. (the 'Landlord') applied for an order to terminate the tenancy and evict Tesfay Asteraye Tsegay (the 'Tenant') because:

- the Tenant has been persistently late in paying the Tenant's rent.

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

This application was heard by videoconference on January 20, 2026.

Only the Landlord's legal representatives Andrew Hyland and Lily McMillan, and the Landlord's property manager Tamoghna Mishra attended the hearing.

As of 10:37 a.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. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy. The Landlord however did not seek an eviction order, but requested the conditional order below.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On October 17, 2025, the Landlord gave the Tenant an N8 notice of termination. The notice of termination contains the following allegations:

The Tenant has persistently failed to pay the rent on the date it was due. The rent is due on the 1st day of each month. The rent has been paid late or not been paid in full 12 times in the past 12 months.

4. The Landlord did not request termination of the tenancy, but requested that the Tenant be ordered to pay their rent on time for the next twelve months, failing which the Landlord would be able to seek eviction without notice to the Tenant pursuant to section 78 of the *Residential Tenancies Act*, 2006 (the 'Act').
5. I granted the Landlord's request and conditionally denied eviction pursuant to section 83 of the Act.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The tenancy between the Landlord and the Tenant continues if the Tenant meets the conditions set out below.
2. The Tenant shall pay his monthly rent to the Landlord in full and on time as it comes due on or before the 1st day of each and every month, starting February 1, 2026 until and including January 1, 2027.
3. If the Tenant fails 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 Tenant. 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 Tenant.
4. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
5. If the Tenant does not pay the Landlord the full amount owing on or before February 9, 2026, the Tenant will start to owe interest. This will be simple interest calculated from February 10, 2026 at 4.00% annually on the balance outstanding.

January 29, 2026
Date Issued

Jana Rozehnal
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.