



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-094341-25

In the matter of: 2 upper, 819 DUKE ST
CAMBRIDGE ON N3H3T8

Between: LEVON SAGHDJIAN Landlord

And

PETER RABAK Tenant

LEVON SAGHDJIAN (the 'Landlord') applied for an order to terminate the tenancy and evict PETER RABAK (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

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

The Landlord and the Tenant attended 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 lawful rent is \$1,800.00. It is due on the 15th 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 not made any payments since the application was filed.
6. The parties agree that the rent arrears owing to February 14, 2026 are \$10,800.00.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord collected a rent deposit of \$1,800.00 from the Tenant and this deposit is still being held by the Landlord. The rent deposit can only be applied to the last rental period of the tenancy if the tenancy is terminated.

9. Interest on the rent deposit, in the amount of \$148.26 is owing to the Tenant for the period from September 15, 2022 to January 20, 2026.

Relief from eviction

10. The Tenant requested that the Board exercise its discretion by allowing him to remain in possession of the rental unit. The Tenant agrees with the outstanding rent amounts. The Tenant testified that he has been off work for 4 months and only recently on OW. He is also waiting for Better Jobs Ontario wherein his income will be \$2,000.00 a month. During the hearing we reviewed the Tenant's income and expenses and it is clear that the Tenant does not have enough income money to pay his rent and other expenses as they totaled over \$2140.00. The Tenant claims that he is looking for a roommate and he has one lined up. The Tenant did not present any documentary evidence to corroborate his financial and personal circumstances. Specifically, he did not present any evidence that he is receiving \$2,000.00 a month or will be receiving this amount.
11. The Landlord submitted that they are seeking termination of tenancy. The Landlord submitted that the Tenant simply cannot afford the rent on the income he received, and he is currently behind on his rent.
12. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), including whether the Landlord attempted to negotiate a repayment agreement with the Tenant and find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act. I find that delaying the eviction would not be appropriate in the circumstances. I find that postponing the eviction will more likely than not result in an increase in the arrears owing.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated unless the Tenant voids this order.
2. **The Tenant may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**
 - \$10,986.00 if the payment is made on or before February 7, 2026. See Schedule 1 for the calculation of the amount owing.
3. The Tenant may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenant has paid the full amount owing as ordered plus any additional rent that became due after February 7, 2026 but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenant may only make this motion once during the tenancy.
4. **If the Tenant does not pay the amount required to void this order the Tenant must move out of the rental unit on or before February 7, 2026.**
5. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$7,592.82. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit are

deducted from the amount owing by the Tenant. See Schedule 1 for the calculation of the amount owing.

6. The Tenant shall also pay the Landlord compensation of \$59.18 per day for the use of the unit starting January 21, 2026 until the date the Tenant moves out of the unit.
7. If the Tenant does not pay the Landlord the full amount owing on or before February 7, 2026, the Tenant will start to owe interest. This will be simple interest calculated from February 8, 2026 at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before February 7, 2026, then starting February 8, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord on or after February 8, 2026.

January 27, 2026
Date Issued

Teresa Hunt
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on August 8, 2026 if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before February 7, 2026

Rent Owing To February 14, 2026	\$10,800.00
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$10,986.00

B. Amount the Tenant must pay if the tenancy is terminated

Rent Owing To Hearing Date	\$9,355.08
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,800.00
Less the amount of the interest on the last month's rent deposit	- \$148.26
Total amount owing to the Landlord	\$7,592.82
Plus daily compensation owing for each day of occupation starting January 21, 2026	\$59.18 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	