



Order under Section 69 Residential Tenancies Act, 2006

Citation: MUSA v SYEDA, 2026 ONLTB 8593

Date: 2026-01-30

File Number: LTB-L-061910-25

In the matter of: MAIN, 5908 TAYSIDE CRES
MISSISSAUGA ON L5M5J7

Between: ALI MUSA

Landlord

And

ASMA SYEDA
GHULAM ABBAS

Tenant

ALI MUSA (the 'Landlord') applied for an order to terminate the tenancy and evict ASMA SYEDA and GHULAM ABBAS (the 'Tenant') because:

- the Tenant did not pay the rent that the Tenant owes. (L1 Application)
- the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year. (L2 Application)

This application was heard by videoconference on January 21, 2026.

The Landlord and the Tenant attended the hearing.

Determinations:

L2 Application:

1. At the hearing, the Landlord' stated that the Tenant vacated the rental unit on January 7, 2026. Therefore, the Landlord was no longer seeking an order terminating the tenancy.
2. As the Tenants vacated the unit, there is no need to consider the merits of the Landlord's application to evict the Tenant. The Landlord's L2 application is moot.

L1 Application:

3. 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.

4. The Tenant was in possession of the rental unit on the date the application was filed.
5. The Tenant vacated the rental unit on January 7, 2026. Rent arrears are calculated up to the date the Tenant vacated the unit.
6. The lawful rent is \$3,588.00. It was due on the 1st day of each month.
7. The Tenant has paid \$6,000.00 to the Landlord since the application was filed.
8. The rent arrears owing to January 7, 2026, are \$24,117.72.
9. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
10. The Landlord collected a rent deposit of \$3,400.00 from the Tenant and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy terminated.
11. Interest on the rent deposit, in the amount of \$213.23 is owing to the Tenant for the period from June 1, 2023, to January 7, 2026.

Section 82 issues:

12. At the hearing, the Tenant attempted to raise issues pursuant to section 82 of the *Residential Tenancies Act, 2006* (the "Act") for my consideration. However, the Tenant did not file a list of section 82 issues with the Board prior to the hearing.
13. Pursuant to section 82 of the Act, Tenant is permitted to raise any issue that could be the subject of an application if the Tenant comply with disclosure requirements or provide an explanation satisfactory to the Board explaining why they could not comply. Section 82(2) of the Act requires Tenant to give advance written notice to the Landlord of their intent to raise the issue at the hearing.
14. As such, I make no determination regarding the section 82 issues. However, it should be noted that this does not preclude the Tenant from bringing his own application regarding any issues the Tenant wishes to raise.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of January 7, 2026, the date the Tenant moved out of the rental unit.
2. The Tenant shall pay to the Landlord \$20,690.49. This amount includes rent arrears owing up to the date the Tenant moved out of the rental unit and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit is deducted from the amount owing by the Tenant. See Schedule 1 for the calculation of the amount owing.

3. If the Tenant does not pay the Landlord the full amount owing on or before February 10, 2026, the Tenant will start to owe interest. This will be simple interest calculated from February 11, 2026, at 4.00% annually on the balance outstanding.
4. The Landlord's L2 application is dismissed.

January 30, 2026

Date Issued

Joy Xiao

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.

**Schedule 1
SUMMARY OF CALCULATIONS**

A. Amount the Tenant must pay as the tenancy is terminated

Rent Owing To Move Out Date	\$30,117.72
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$6,000.00
Less the amount of the last month's rent deposit	- \$3,400.00
Less the amount of the interest on the last month's rent deposit	- \$213.23
Total amount owing to the Landlord	\$20,690.49