



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-100830-25

In the matter of: 803, 137 CHURCH ST
ST CATHARINES ON L2R3E3

Between: Bedford Properties & Estates Ltd Landlord

And

Jalal Shaikh Mohammed Tenant

Bedford Properties & Estates Ltd (the 'Landlord') applied for an order to terminate the tenancy and evict Jalal Shaikh Mohammed (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 representative, Sharon Harris, attended the hearing.

As of 10:00 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 and the claim for compensation in the application. Therefore, the tenancy is terminated.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On September 23, 2025, the Landlord gave the Tenant an N8 notice of termination. 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 12 times in the past 12 months.
4. The Tenant was required to pay the Landlord \$2,406.91 in daily compensation for use and occupation of the rental unit for the period from December 1, 2025 to January 20, 2026.

5. Based on the monthly rent, the daily compensation is \$46.55. This amount is calculated as follows: $\$1,415.76 \times 12$, divided by 365 days.
6. Since the termination date in the notice of termination, the Tenant paid the Landlord \$3,013.68 in rent.
7. The Landlord collected a rent deposit of \$1,448.68 from the Tenant and this deposit is still being held by the Landlord. Interest on the rent deposit, in the amount of \$1.67 is owing to the Tenant for the period from January 1, 2026 to January 20, 2026.
8. The amount of the rent deposit and interest on the rent deposit is applied to the amount the Tenant is required to pay.
9. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'). The Tenant was not present at the hearing to explain his circumstances and to request relief from eviction. The Landlord's legal representative was unaware of the Tenant's circumstances. As such, I find that it would be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before February 10, 2026.
2. If the unit is not vacated on or before February 10, 2026, then starting February 11, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
3. 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 11, 2026.
4. The Tenant shall also pay the Landlord compensation of \$46.55 per day for the use of the unit starting January 21, 2026 until the date the Tenant moves out of the unit.
5. As of the date of the hearing, the amount of the rent deposit and interest the Landlord owes on the rent deposit exceeds the amount the Landlord is entitled to by \$2,057.12.
6. However, the Landlord is authorized to deduct from amount owing to the Tenant \$46.55 per day for compensation for the use of the unit starting January 21, 2026 to the date the Tenant moves out of the unit.
7. The Landlord or the Tenant shall pay to the other any sum of money that is owed as a result of this order.

January 30, 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.

In accordance with section 81 of the Act, the part of this order relating to the eviction of the Tenant expires on August 11, 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.