



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-090004-25

In the matter of: 61 WATERBRIDGE ST
STONE CREEK ON L8J 0G2

Between: Aloysius Piragasanathar Landlords
Aloysius Fatimarany

and

Annold Nyanyiwa Tenants
Gina Brown

Aloysius Piragasanathar and Aloysius Fatimarany (the 'Landlords') applied for an order to terminate the tenancy and evict Annold Nyanyiwa and Gina Brown (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on January 13, 2026.

The Landlord, Aloysius Fatimarany, the Landlords' representative, Sathiyapriya Kalaimathian, and the Tenant, Annold Nyanyiwa, attended the hearing.

Determinations:

1. The Landlords served the Tenants with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenants 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 Tenants were still in possession of the rental unit.
3. The lawful rent is \$3,000.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$98.63. This amount is calculated as follows: \$3,000.00 x 12, divided by 365 days.
5. The Tenants have paid \$1,200.00 to the Landlords since the application was filed.
6. It is not in dispute that the rent arrears owing to January 31, 2026 are \$14,300.00. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

7. There is no last month's rent deposit.

Relief from Eviction

8. 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 not be unfair to postpone the eviction until February 28, 2026, pursuant to subsection 83(1)(b) of the Act.
9. In this case, the parties were unsuccessful resolving the issue of rent arrears through a payment plan. The Landlord sought an eviction order for termination and eviction with 11 days for the Tenant to pay off all outstanding amounts and void the order. The Landlord objected to further delay or a payment plan. The Landlord testified that they have ongoing costs associated with the rental unit which must be paid.
10. The Tenants' expenses exceed their income. The evidence establishes that the Tenants are unable to afford the current rent, and the arrears have accumulated to \$14,300.00. I find that the tenancy is not viable.
11. The Tenants have 4 children who are minors. The Tenant requested a month and a half delay for an eviction order. Considering the Tenant's personal circumstances, I find that a short postponement is reasonable to allow the Tenant an opportunity to preserve their tenancy, or if necessary, secure alternative accommodation.

It is ordered that:

1. The tenancy between the Landlords and the Tenants is terminated unless the Tenants void this order.
 2. **The Tenants may void this order and continue the tenancy by paying to the Landlords or to the Board in trust:**
 - \$14,486.00 if the payment is made on or before January 31, 2026. See Schedule 1 for the calculation of the amount owing.
- OR**
- \$17,486.00 if the payment is made on or before February 28, 2026. See Schedule 1 for the calculation of the amount owing.
 3. The Tenants may also make a motion at the Board to void this order under section 74(11) of the Act, if the Tenants have paid the full amount owing as ordered plus any additional rent that became due after February 28, 2026 but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenants may only make this motion once during the tenancy.
 4. **If the Tenants do not pay the amount required to void this order the Tenants must move out of the rental unit on or before February 28, 2026.**

5. If the Tenants do not void the order, the Tenants shall pay to the Landlords \$12,768.19. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.
6. The Tenants shall also pay the Landlords compensation of \$98.63 per day for the use of the unit starting January 14, 2026 until the date the Tenants move out of the unit.
7. If the Tenants do not pay the Landlords the full amount owing on or before February 28, 2026, the Tenants will start to owe interest. This will be simple interest calculated from March 1, 2026 at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before February 28, 2026, then starting March 1, 2026, the Landlords 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 Landlords on or after March 1, 2026.

January 28, 2026
Date Issued

Adeela Alvez
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 September 1, 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 Tenants must pay to void the eviction order and continue the tenancy if the payment is made on or before January 31, 2026

Rent Owing to January 31, 2026	\$15,500.00
Application Filing Fee	\$186.00
Less the amount the Tenants paid to the Landlords since the application was filed	- \$1,200.00
Total the Tenants must pay to continue the tenancy	\$14,486.00

B. Amount the Tenants must pay to void the eviction order and continue the tenancy if the payment is made on or before February 28, 2026

Rent Owing to February 28, 2026	\$18,500.00
Application Filing Fee	\$186.00
Less the amount the Tenants paid to the Landlords since the application was filed	- \$1,200.00
Total the Tenants must pay to continue the tenancy	\$17,486.00

C. Amount the Tenants must pay if the tenancy is terminated

Rent Owing to Hearing Date	\$13,782.19
Application Filing Fee	\$186.00
Less the amount the Tenants paid to the Landlords since the application was filed	- \$1,200.00
Total amount owing to the Landlords	\$12,768.19
Plus, daily compensation owing for each day of occupation starting January 14, 2026	\$98.63 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	