



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

File Number: LTB-L-088083-25

In the matter of: 207, 99 KENNEDY RD N
BRAMPTON ON L6V1X7

Between: 2761414 ONTARIO INC Landlord

and

PRAKASH BOODRAM Tenant

2761414 ONTARIO INC (the 'Landlord') applied for an order to terminate the tenancy and evict PRAKASH BOODRAM (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes. The Landlord also claimed charges related to NSF cheques.

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

Only the Landlord's Legal Representative, Daniel Moak, attended the hearing. As of 2:03PM, 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. 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 in possession of the rental unit.
3. At the hearing, the Landlord's Representative referred to an Above-Guideline Increase ('AGI') but whether an order had issued was not in evidence. The LTB's records indicate that the only AGI application related to the parties in this application was filed on July 31, 2024, and has not yet been resolved.
4. In the above circumstances, I find the lawful rent is \$1,446.07. It is due on the 1st day of each month.
5. Based on the monthly rent, the daily rent/compensation is \$47.54. This amount is calculated as follows: \$1,446.07 x 12, divided by 365 days.

6. The Tenant has paid \$1,446.07 to the Landlord since the application was filed.
7. The rent arrears owing to January 31, 2026, are \$4,544.21.
8. The NSF fees claimed by the Landlord were with respect to a preauthorized payment and not a cheque. Under Sub-section 87(5) of the *Residential Tenancies Act, 2006* (the 'Act'), and section 17 of O.Reg 516/06 a Landlord can only recover administrative and/or actual fees charged by a financial institution where it relates to a NSF cheque. As a result, the Landlord withdrew their request for these fees.
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 \$1,301.43 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.
11. Interest on the rent deposit, in the amount of \$143.35 is owing to the Tenant for the period from January 1, 2020, to January 20, 2026

Relief from Eviction

12. The Landlord sought an order for termination and eviction with 11 days for the Tenant to pay the arrears and void the order. They were not aware of any reason to delay or deny eviction. There was no evidence whether the Landlord had attempted to negotiate a payment plan.
13. As the Tenant was not present, I had limited evidence before me to delay or deny eviction. I note the Tenant made a good faith arrears payment in the amount of \$1446.07.
14. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the Act and 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 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:**
 - \$6,176.28 if the payment is made on or before February 14, 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 14, 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 14, 2026.**
5. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$2,790.16. 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 \$47.54 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 14, 2026, the Tenant will start to owe interest. This will be simple interest calculated from February 15, 2026, at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before February 14, 2026, then starting February 15, 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 15, 2026.

February 3, 2026

Date Issued

Vanessa Davies

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 15, 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 14, 2026

Rent Owing to February 28, 2026	\$7,436.35
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,446.07
Total the Tenant must pay to continue the tenancy	\$6,176.28

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

Rent Owing to Hearing Date	\$5,495.01
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,446.07
Less the amount of the last month's rent deposit	- \$1,301.43
Less the amount of the interest on the last month's rent deposit	- \$143.35
Total amount owing to the Landlord	\$2,790.16
Plus, daily compensation owing for each day of occupation starting January 21, 2026	\$47.54 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	