



Order under Section 69 Residential Tenancies Act, 2006

Citation: Sandhu v Miller, 2026 ONLTB 11300

Date: 2026-02-06

File Number: LTB-L-099680-25

In the matter of: BASEMENT LEVEL, 34 ARBORWOOD DR
ETOBICOKE ON M9W6W3

Between: Balwinder Singh Sandhu Landlords
Manjit Kaur Sandhu

And

Darnley Irvin Miller Tenant

Balwinder Singh Sandhu and Manjit Kaur Sandhu (the 'Landlords') applied for an order to terminate the tenancy and evict Darnley Irvin Miller (the 'Tenant') because

- the Tenants did not pay the rent that the Tenants owe (*L1 Application*).
- the Tenants have been persistently late in paying the Tenants' rent (*L2 Application*).

This application was heard by videoconference on January 29, 2026. Only the Landlords' Representatives, Shikha Kappor and Manjot Dhillon, attended the hearing.

As of 2:32 pm, 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 Landlords' evidence.

Determinations:

L1 Application – Non-Payment of Rent

1. The Landlords 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 \$850.00. It is due on the 15th day of each month.

4. Based on the Monthly rent, the daily rent/compensation is \$27.95. This amount is calculated as follows: \$850.00 x 12, divided by 365 days.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to February 14, 2026, are \$6,800.00.
7. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. There is no last month's rent deposit.

L2 Application – Persistent Late Payment of Rent

9. On November 3, 2025, the Landlords gave the Tenant an N8 notice of termination deemed served November 8, 2025. The notice of termination alleges that the Tenant had persistently paid their rent late.
10. The Landlords state that the Tenant has paid their rent late six times in 2024 (January, April – July and December); 10 times in 2025 (January, February, April -July, September and December). They have not paid their rent since the application was filed.
11. Based on the Landlords' evidence, I find that the Tenant has persistently paid their rent late in 2024, and 2025.

Relief from Eviction

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 Landlords 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.

It is ordered that:

1. The tenancy between the Landlords and the Tenant is terminated. The Tenant must move out of the rental unit on or before February 17, 2026.
2. The Tenant shall also pay the Landlord compensation of \$27.95 per day for the use of the unit starting January 30, 2026, until the date the Tenant moves out of the unit.
3. If the Tenant does not pay the Landlords the full amount owing on or before February 17, 2026, the Tenant will start to owe interest. This will be simple interest calculated from February 18, 2026, at 4.00% annually on the balance outstanding.
4. If the unit is not vacated on or before February 17, 2026, then starting February 18, 2026, the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.

5. 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 18, 2026.

February 6, 2026
Date Issued

Jane Dean
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 18, 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 14, 2026	\$6,800.00
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$6,986.00

B. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before February 17, 2026

Rent Owing To March 14, 2026	\$7,650.00
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$7,836.00

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

Rent Owing To Hearing Date	\$6,369.25
Application Filing Fee	\$186.00
Total amount owing to the Landlord	\$6,555.25
Plus daily compensation owing for each day of occupation starting January 30, 2026	\$27.95 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	