



**Order under Section 78(11)
Residential Tenancies Act, 2006**

File Number: LTB-L-099668-25-SA

In the matter of: 9 DURKSEN DR
ST CATHARINES ON L2R0A7

Between: Sarabjeet Malhi Landlord

And

Sasirathan Shanmuganathan Tenant
Kayathiri Paramasivam

Sarabjeet Malhi (the 'Landlord') applied for an order to terminate the tenancy and evict Sasirathan Shanmuganathan and Kayathiri Paramasivam (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the order issued by the LTB on November 19, 2025 with respect to application LTB-L-070425-25.

The Landlord's application was resolved by order LTB-L-099668-25, issued on January 7, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-099668-25.

This motion was heard by videoconference on February 2, 2026.

The Landlord's representative Haider Khan and the Tenants attended the hearing. The parties before the LTB consented to the following order:

It is ordered on consent that:

1. The motion to set aside Order LTB-L-099668-25, issued on January 7, 2026, is granted.
2. Order LTB-L-099668-25, issued on January 7, 2026, is set aside and cannot be enforced.
3. The previous order issued on November 19, 2025 with respect to LTB-L-070425-25 is cancelled and replaced with the following terms:
4. The Tenant shall pay to the Landlord \$7,586.00 for arrears of rent up to January 31, 2026 and costs

5. The Tenant shall pay to the Landlord the amount set out in paragraph 4 in accordance with the following schedule:
 - (i) Between February 20, 2026 and July 20, 2026, the Tenant will make payments towards the arrears in the amount of \$1000.00 each month. These arrears payments will be made on or before the 20th day of each month. This means that the Tenant will make payments of \$1,000.00 per month for 6 consecutive months, commencing February 20, 2026; and,
 - (ii) The final payment will be in the amount of \$1,586.00 and will be paid on or before August 20, 2026.
6. The Tenant shall pay the monthly rent for February 2026 on or before February 20, 2026.
7. The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period March 1, 2026 to August 31, 2026, or until the arrears are paid in full, whichever date is earliest
8. If the Tenant fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 4 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after January 31, 2026.

February 5, 2026
Date Issued

Peter Nicholson
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.