



Order under Section 69 / 88.2 Residential Tenancies Act, 2006

Citation: 2679388 Ontario Inc. v KUNDA, 2026 ONLTB 14978

Date: 2026-02-18

File Number: LTB-L-106266-25

In the matter of: UPPER HOUSE UNIT, 1273 MANITOU WAY
MILTON ON L9E2A7

Between: 2679388 Ontario Inc. Landlord

And

ADESA KUNDA Tenants
AMER KUNDA
SAMEIL KUNDA

2679388 Ontario Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict ADESA KUNDA, AMER KUNDA and SAMEIL KUNDA (the 'Tenants') because:

- the Tenants have been persistently late in paying the Tenants' rent.

The Landlord also claimed compensation for each day the Tenants remained in the unit after the termination date.

This application was heard by videoconference on February 11, 2026.

The Landlord's Principal, Rukiyah Khader, the Tenants' Legal Representative, Steve Pottins and the Tenants attended the hearing.

Determinations:

1. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy in the application. Therefore, an order imposing conditions for the next 12 months shall issue allowing the Tenants to preserve their tenancy.
2. The Tenants were in possession of the rental unit on the date the application was filed. The monthly rent is \$4,000.00.
3. On December 12, 2025, the Landlord gave the Tenants an N8 notice of termination deemed served on the same date. The notice of termination alleged that the Tenants persistently paid the rent late from June of 2024 to present and set out the dates that the rent was paid by the Tenants. The Tenants paid the rent late for those 19 months in a row.

4. The Landlord's Principal advised that the Tenants voided the L1 order, LTB-L-085106-25 by paying the outstanding amount of rent to the Landlord on January 16, 2026. At this time, the Tenants are up to date with their rent payments.
5. The Landlord advised me that she requires these payments on time so that she is able to manage her own financial commitments and these failures to pay on time or not at all have caused major issues for her and her company.
6. The Tenants' Legal Representative submitted that the Tenants appreciate that the rent must be paid on time and on the 15th of each month. He submitted that previous financial constraints had caused the Tenants to fall behind but they are prepared to ensure that the rent is paid on full and on time.

Analysis

7. On the basis of the evidence before me, I find that the Tenants have persistently failed to pay the rent on the date that it was due.
8. The Tenants explained the reasons behind the late rent payments and understand that the rent must be paid on the 15th of every month.
9. Eviction should be ordered as a last resort. Based on the above facts, I am choosing to order a conditional order under section 78 of the *Residential Tenancies Act, 2006* (hereinafter referred to as the "Act") which will ensure that the Landlord receives her rent in full and on time and the Tenants will be able to preserve her tenancy.
10. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

Relief from Eviction

11. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the Act and find that it would not be unfair to grant relief from eviction subject to the conditions set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act.

It is ordered that:

1. The tenancy between the Landlord and the Tenants continues if the Tenants meet the conditions set out below.
2. The Tenants shall pay the Landlord monthly rent owing (being \$4,000.00) on or before the fifteenth (15th) day of each month commencing February 15, 2026 and continuing thereafter until and including January 31, 2027.
3. If the Tenants fail to comply with the conditions set out in paragraph 2 of this order, the Landlord may apply under section 78 of the *Act*, for an order terminating the tenancy and evicting the Tenants. The Landlord must make the application within 30 days of a breach of a condition. This application is made to the Board without notice to the Tenants.
4. The Tenants shall also pay to the Landlord \$186.00 for the cost of filing the application by February 28, 2026.

5. If the Tenants fail to make the payment owing under paragraph 4, and by the date required, the balance owing under paragraph 4 of this order shall become payable on the day following the date of default. The monies owing shall bear interest at the post-judgment interest rate determined under subsection 207(7) of the *Act*.

February 18, 2026
Date Issued

Carrie Bertrand
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.