



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-098168-25

In the matter of: 1006, 1920 WESTON RD
TORONTO ON M9N1W5

Between: 1920 WESTON ROAD INC.

Landlord

And

Davenindra Rambharack

Tenant

1920 WESTON ROAD INC. (the 'Landlord') applied for an order to terminate the tenancy and evict Davenindra Rambharack (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on February 12, 2026.

The Landlord's Representative, Emily Barbati, and the Tenant, Davenindra Rambharack, attended the hearing.

Preliminary:

At the hearing, the Tenant confirmed that Rajmanie Rambharach moved out of the unit one year before the hearing.

On the date this application was filed, subsection 87(1)(b) of the Act permitted a landlord to apply for an order for the payment of arrears of rent if the tenant is in possession of the rental unit. The effect of this section is that if the tenant is not in possession of the rental unit on the date the application is filed, the Board does not have jurisdiction to issue an order requiring the tenant to pay the arrears of rent. This is consistent with the decision of the Ontario Court of Appeal in *1162994 Ontario Inc. v. Bakker et al.* (2004 CanLII 59995 (ON CA)), based on the previous, but identical legislation.

I am satisfied that the Tenant Rajmanie Rambharach was not in possession at the time the Landlord filed the application and therefore, Rajmanie Rambharach has been removed as a Tenant party to this application.

The parties before the LTB consented to the following order:

It is ordered on consent that:

1. The Tenant shall pay to the Landlord \$7140.97 for arrears of rent up to February 28, 2026, and costs.
2. The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:

Payment Due Date	Payment Due
Due on or before February 28, 2026	\$2000.00
Monthly payments on or before the last day of each month, beginning: March 31, 2026, through June 30, 2026	\$1000.00
Final payment due on or before July 31, 2026	\$1140.97

3. 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 July 1, 2026, or until the arrears are paid in full, whichever date is earliest.
4. 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 1 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 February 28, 2026.

February 19, 2026
Date Issued

 Greg Brocanier
 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.