



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

File Number: LTB-L-001012-26

In the matter of: MAIN FLOOR, 116 ELDOMAR AVENUE
BRAMPTON ON L6W1R8

Between: DOROTHY IGHARO Landlord

And

ROMA NIAZI Tenant

DOROTHY IGHARO (the 'Landlord') applied for an order to terminate the tenancy and evict ROMA NIAZI (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on March 9, 2026. The Landlord and the Tenant attended the hearing.

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. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Tenant vacated the rental unit on January 14, 2026. Rent arrears are calculated up to the date the Tenant vacated the unit
4. The lawful rent is \$2,750.00. It was due on the 26th day of each month.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to January 14, 2026, are \$7,348.20.
7. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.
8. There is no last month's rent deposit.
9. The Tenant wanted to raise concerns she experienced during the tenancy. However, the Landlord was not provided any advance notice that the Tenant would be raising issues under s.82 of the *Residential Tenancies Act* ('the Act') at the hearing.

10. Section 82 of the *Residential Tenancies Act* ('the Act') states that at an application under s.69 of the Act for an order terminating a tenancy for non-payment of rent, the Board shall permit the tenant to raise any issue that could be the subject of an application under the Act if the tenant:

- (a) complies with the requirements set out in subsection (2); or
- (b) provides an explanation satisfactory to the Board explaining why the tenant could not comply with the requirements set out in subsection

(2) The requirements referred to in subsection (1) are the following:

- 1. The tenant shall give advance notice to the landlord of the tenant's intent to raise the issue at the hearing.
- 2. The notice shall be given within the time set out in the Rules.
- 3. The notice shall be given in writing and shall comply with the Rules.

11. Given that the Landlord was not given any notice that the Tenant planned to raise these issues during the hearing, I found it would be prejudicial to allow the Tenant to do so. The Tenant, if they so choose, may file their own application within 12 months of the tenancy terminating.

It is ordered that:

- 1. The tenancy between the Landlord and the Tenant is terminated as of January 14, 2026, the date the Tenant moved out of the rental unit.
- 2. The Tenant shall pay to the Landlord \$7,549.20. This amount includes rent arrears owing up to the date the Tenant moved out of the rental unit and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.
- 3. If the Tenant does not pay the Landlord the full amount owing on or before March 27, 2026, the Tenant will start to owe interest. This will be simple interest calculated from March 28, 2026 at 4.00% annually on the balance outstanding.

March 16, 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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenant must pay as the tenancy is terminated

Rent Owing To Move Out Date	\$7,348.20
Application Filing Fee	\$201.00
Total amount owing to the Landlord	\$7,549.20