



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

File Number: LTB-L-008667-26

In the matter of: 1570 HIGHNOON DR
WINDSOR ON N9G3B6

Between: Sreedhar Pugalendhi Landlords
Aarthi Lakshmi Balamurali

And

Bukola Rhoda Aremu Tenants
Samuel Oluwole Aremu

Sreedhar Pugalendhi and Aarthi Lakshmi Balamurali (the 'Landlords') applied for an order to terminate the tenancy and evict Bukola Rhoda Aremu and Samuel Oluwole Aremu (the 'Tenants') because the Tenants have been persistently late in paying the Landlords' rent.

This application was heard by videoconference on March 10, 2026.

Only one of the Landlords, Sreedhat Peugalendhi, attended the hearing.

As of 9:06 a.m., the Tenants were not present or represented at the hearing although properly served with notice of this hearing by the LTB. Even though there was a record of a request by the Tenants to reschedule the hearing, the request was denied. As a result, the hearing proceeded today with only the Landlord's evidence.

However, at the conclusion of the hearing, one of the Tenant's, Bukola Aremu, did attend the hearing. By this time, the Landlord had already left the hearing room, and the matter had been concluded. The Tenant was advised that the matter had been heard and will receive a copy of the Order.

Determinations:

1. As explained below, the Landlords have proven on a balance of probabilities the grounds for termination of the tenancy. The Tenants have been persistently late paying the rent between August 2021 and October 2025. Therefore, we are satisfied that the Tenants have been persistently late in paying the rent.
2. The Tenants are in possession of the rental unit.

3. On October 11, 2025, the Landlords gave the Tenants an N8 notice of termination alleging the Tenants have been persistently late in paying the rent. This is a monthly tenancy and rent is due on the first day of each month. The evidence before us establishes that the Tenants have failed to pay the rent when due 46 times since January 2022. We are satisfied the Tenants have persistently paid the rent late.
4. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
5. The Landlords collected a rent deposit of \$1,750.00 from the Tenants and this deposit is still being held by the Landlords.

Relief from eviction

6. We have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (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. We say this for the following reasons:
7. The Act is remedial legislation, and the courts have determined that evicting a tenant is a remedy of last resort. In the cases of *Sutherland v. Lamontagne*, [2008] O.J. No. 5763 (Div. Ct.) and *Paderewski Society v. Ficyk*, [1998], the Divisional Court stated,

"To put somebody out of their home must, in my view, call for clear and compelling circumstances that it's no longer possible for the arrangement to continue."
8. Since the N8 was served, the Tenants have paid the monthly rent on time. This, in our view, suggests the Tenants are able and willing to meet their rental obligations. The Tenant, Samuel Oluwole Aremu, is very unwell and is currently undergoing dialysis treatments. We believe it would be reasonable and appropriate to afford the Tenants an opportunity to preserve their tenancy by way of a conditional order while minimizing any prejudice to the Landlord.

It is ordered that:

1. The Landlords' application to terminate the tenancy and evict the Tenants for persistent late payment of rent is denied subject to the following conditions:
 - a. For twelve consecutive months, starting April 2026 through to and including March 2027, the Tenants shall pay the lawful monthly rent on or before the first day of each month.
2. In the event that the Tenants fail to make any of the payments indicated in paragraph 1 of this order in full and on time, the Landlords shall be entitled to apply to the Board, no later than 30 days after a breach of this order, without notice to the Tenants, for an order terminating the tenancy and evicting the Tenants pursuant to Section 78 of the Act.

3. The Tenants shall also pay to the Landlords \$186.00 for the cost of filing the application.
4. If the Tenants do not pay the Landlords the full amount owing on under paragraph 4 of this Order on or before April 1, 2026, the Tenants will start to owe interest. This will be simple interest calculated from April 2, 2026 at 4.00% annually on the balance outstanding.

March 19, 2026
Date Issued

Farzana Kanji
Member, Landlord and Tenant Board

March 19, 2026
Date Issued

Dawn Sullivan
Vice Chair, 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.