



Order under Section 69 Residential Tenancies Act, 2006

Citation: Lewis v Shittu, 2026 ONLTB 24294

Date: 2026-03-25

File Number: LTB-L-024076-24

In the matter of: BASEMENT ROOM, 40 LEGENDS DR
SCARBOROUGH ON M1X1Z7

Between: Tanya Lewis Landlord

And

Zainab Shittu Tenant

Tanya Lewis (the 'Landlord') applied for an order to terminate the tenancy and evict Zainab Shittu (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

- the Tenant did not pay the rent that the Tenant owes. **(L1 application)**.
- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant; the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has wilfully or negligently caused damage to the premises. **(L2 application)**.

This application was heard by videoconference on March 16, 2026. The Landlord and the Tenant attended the hearing. The Landlord was represented by Tigran Sandukhchyan.

Determinations:

L1 application:

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 April 18, 2025. Rent arrears are calculated up to the date the Tenant vacated the unit

4. The lawful rent is \$1,065.00. It was due on the 1st day of each month.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to April 18, 2025 are \$18,735.18.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord collected a rent deposit of \$1,065.00 from the Tenant and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy terminated.
9. Interest on the rent deposit, in the amount of \$72.14 is owing to the Tenant for the period from August 1, 2022 to April 18, 2025.
10. The Tenant did not dispute the arrears owing at the hearing.
11. Prior to the hearing, the Tenant filed with the Board evidence and a list of issues pursuant to section 82 of the *Residential Tenancies Act, 2006* (the Act), which provides that on an application for arrears of rent, a tenant may raise any issue that could be the subject of an application made by the tenant under the Act.
12. This matter was previously adjourned at a hearing before the Board on October 10, 2024. Following the hearing, the Board issued interim order LTB-L-024076-24-IN on October 23, 2024. The interim order requires the Tenant to pay their monthly rent in full and on time until the matter returns to the adjourned hearing date, failing which, the Board may refuse to consider the Tenants section 82 claims.
13. At the hearing the Tenant confirmed that she did not comply with the terms ordered in the October 23, 2024 interim order and as such, I declined to consider the Tenant's section 82 claims at this hearing.
14. I further note that the Board's records confirm that the Tenant has also filed their own T2 application with the Board (LTB-T-079192-23) and that the matter was heard on October 30, 2025, and is pending an order being issued. In review of both files, it appears that the Tenant's section 82 claims are a duplicate of what was claimed and heard on their own T2 application. Therefore, even if the Tenant had complied with the terms of the October 23, 2024 interim order, the Board still would not have considered the section 82 claims as they have already been plead and heard before the Board on a separate application.

L2 application:

15. At the hearing the Landlord requested to withdraw the L2 portion of the application. The Board consented to this request.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of April 18, 2025, the date the Tenant moved out of the rental unit.

2. The Tenant shall pay to the Landlord \$17,784.04. 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. The rent deposit and interest the Landlord owes on the rent deposit is deducted from the amount owing by the Tenant. 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 April 5, 2026, the Tenant will start to owe interest. This will be simple interest calculated from April 6, 2026 at 4.00% annually on the balance outstanding.
4. The Landlord's L2 application is withdrawn.

March 25, 2026
Date Issued

Fabio Quattrociochi
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	\$18,735.18
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,065.00
Less the amount of the interest on the last month's rent deposit	- \$72.14
Total amount owing to the Landlord	\$17,784.04