



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

File Number: LTB-L-004429-26

In the matter of: 22, 209 SPRINGFIELD CRES
WATERLOO ON N2T2N1

Between: Victoria Park Community Homes Landlord

And

Roia Wali Mohammad Tenants
Sear Habib

Victoria Park Community Homes (the 'Landlord') applied for an order to terminate the tenancy and evict Roia Wali Mohammad and Sear Habib (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on March 19, 2026.

Only the Landlord's Representative, Cheryl Lebel, attended the hearing.

As of 1:30 the Tenants were not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. The Landlord served the Tenants with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenants 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. As of the hearing date, the Tenants were still in possession of the rental unit.
3. The lawful rent is \$244.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$8.02. This amount is calculated as follows: \$244.00 x 12, divided by 365 days.
5. The Tenants have paid \$588.00 to the Landlord since the application was filed.
6. The rent arrears owing to March 31, 2026 are \$984.39.
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 \$109.38 from the Tenants and this deposit is still being held by the Landlord. The rent deposit can only be applied to the last rental period of the tenancy if the tenancy is terminated.
9. Interest on the rent deposit, in the amount of \$0.49 is owing to the Tenants for the period from January 1, 2026 to March 19, 2026.
10. I 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. The Landlord requested a payment plan consistent with the terms the parties had been discussing to allow the Tenants an opportunity to preserve the tenancy.

It is ordered that:

1. The Tenants shall pay to the Landlord \$1,170.39 for arrears of rent up to March 31, 2026, and costs.
2. The Tenants shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:
 - a. \$50.00 on or before the first of the month for 23 months beginning April 1, 2026, through to February 1, 2028
 - b. \$20.39 on or before March 1, 2028.
3. The Tenants shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period April 1, 2026, to February 1, 2028, or until the arrears are paid in full, whichever date is earliest.
4. If the Tenants fail 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 Tenants to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenants, apply to the LTB within 30 days of the Tenants' breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenants and requiring that the Tenants pay any new arrears, NSF fees and related charges that became owing after March 31, 2026.

March 27, 2026
Date Issued

Dawn Carr
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.