



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

File Number: LTB-L-004761-26

In the matter of: 15A ROCKWOOD DR
SCARBOROUGH ON M1M3M9

Between: FIROZ JIBHAI Landlord

And

ADRIAN DAWES Tenant

FIROZ JIBHAI (the 'Landlord') applied for an order to terminate the tenancy and evict ADRIAN DAWES (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on March 23, 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). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the notice or before the day the application was filed.
2. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$2,300.00. It is due on the 1st day of each month.
4. The Tenant has paid \$4,600.00 to the Landlord since the application was filed.
5. The rent arrears owing to March 31, 2026 are \$2,300.00.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. Accordingly, the total amount the Tenant owes the Landlord is \$2,486.00.
8. 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.

9. The Tenant testified he is a mortgage broker and that his income and pay dates vary based on when his contracts close. The Tenant also testified he has recently obtained part-time work as a concierge. The Tenant testified that his average net income is approximately \$5,000.00 per month. The Tenant requested a payment plan that would require the Tenant to pay an additional \$600.00 every two weeks until the arrears are paid in full.
10. The Tenant testified that he has two young children who reside with him and that eviction would cause unfair prejudice to him and his family.
11. I find that it would not be unfair to grant relief from eviction in the form of a payment plan. The proposed payment plan is a short one ending May 22, 2026 and the Landlord is protected by section 78 of the Act in the case of any breach. If the Tenant pays in full as proposed, the Landlord will be made whole within approximately 2 months and the Tenant will have an opportunity to preserve his tenancy. Given that eviction is a remedy of last resort, I find that it would not be unfair in the circumstances to grant the payment plan.

It is ordered that:

1. The Tenant shall pay to the Landlord \$2,486.00 for arrears of rent up to March 31, 2026 and costs.
2. The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:

Date Payment Due	Amount of Payment
April 10, 2026	\$600.00 (arrears and costs)
April 24, 2026	\$600.00 (arrears)
May 8, 2026	\$600.00 (arrears)
May 22, 2026	\$686.00 (arrears)

3. The Tenant shall also pay to the Landlord the monthly rent for April 2026 on or before April 4, 2026.
4. The Tenant shall also pay to the Landlord the monthly rent for May 2026 on or before May 1, 2026.

5. 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 March 31, 2026.

March 30, 2026

Date Issued

Christopher Lin

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.