



Order under Section 69 Residential Tenancies Act, 2006

Citation: Kazmi v Williams, 2026 ONLTB 28015

Date: 2026-04-09

File Number: LTB-L-006048-26

In the matter of: 3196 STORNOWAY CIR
OAKVILLE ON L6M5H7

Between: Najeeb Kazmi
Nerjis Kazmi

Landlords

And

Jerome Williams

Tenant

Najeeb Kazmi and Nerjis Kazmi (the 'Landlords') applied for an order to terminate the tenancy and evict Jerome Williams (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on March 31, 2026.

The Landlords and the Tenant attended the hearing.

Determinations:

1. The Landlords 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. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$3,000.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$98.63. This amount is calculated as follows: \$3,000.00 x 12, divided by 365 days.
5. The Tenant has paid \$8,500.00 to the Landlords since the application was filed.
6. The parties agree that the rent arrears owing to March 31, 2026, are \$500.00.
7. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

8. The Landlords collected a rent deposit of \$3,000.00 from the Tenant and this deposit is still being held by the Landlords. 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 \$52.47 is owing to the Tenant for the period from June 1, 2025, to March 31, 2026.
10. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), including whether the Landlord attempted to negotiate a repayment agreement with the Tenant and find that it would not be unfair to postpone the eviction until April 30, 2025, pursuant to subsection 83(1)(b) of the Act.
11. The Tenant testified that he lost vision in one of his eye due to an accident. This caused the Tenant to fall behind on rent and they are on the road to recovery. The Tenant has paid off most of the arrears and requested time until end of April to pay off the balance. I granted the Tenant's request.

It is ordered that:

1. The tenancy between the Landlords and the Tenant is terminated unless the Tenant voids this order.
2. **The Tenant may void this order and continue the tenancy by paying to the Landlords or to the LTB in trust:**
 - \$3,686.00 if the payment is made on or before April 30, 2026. See Schedule 1 for the calculation of the amount owing.
3. The Tenant may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenant has paid the full amount owing as ordered plus any additional rent that became due after April 30, 2026, but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenant may only make this motion once during the tenancy.
4. **If the Tenant does not pay the amount required to void this order the Tenant must move out of the rental unit on or before April 30, 2026.**
5. As of the date of the hearing, the amount of the rent deposit and interest the Landlords owe on the rent deposit exceeds the arrears of rent, compensation and the cost of filing the application the Landlords are entitled to by \$2,366.47. See Schedule 1 for the calculation of the amount owing. However, the Landlords are authorized to deduct from the amount owing to the Tenant \$98.63 per day for compensation for the use of the unit starting April 1, 2026, until the date the Tenant moves out of the unit.
6. The Landlords or the Tenant shall pay to the other any sum of money that is owed as a result of this order.
7. If the unit is not vacated on or before April 30, 2026, then starting May 1, 2026, the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.

8. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlords on or after May 1, 2026.

April 9, 2026
Date Issued

Sheena Brar
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on November 1, 2026, if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before April 30, 2026

Rent Owing to April 30, 2026	\$12,000.00
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlords since the application was filed	- \$8,500.00
Total the Tenant must pay to continue the tenancy	\$3,686.00

B. Amount the Tenant must pay if the tenancy is terminated

Rent Owing to Hearing Date	\$9,000.00
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlords since the application was filed	- \$8,500.00
Less the amount of the last month's rent deposit	- \$3,000.00
Less the amount of the interest on the last month's rent deposit	- \$52.47
Total amount owing to the Landlords	\$(2,366.47)
Plus, daily compensation owing for each day of occupation starting April 1, 2026	\$98.63 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	