



Order under Section 69 Residential Tenancies Act, 2006

Citation: Shibli v Salih, 2026 ONLTB 29693

Date: 2026-04-14

File Number: LTB-L-008134-26

In the matter of: MAIN FLOOR, 840 KENNEDY RD
TORONTO ON M1K2E7

Between: Tanvir Alam Shibli Landlord

And

Hudda Salih Tenants
Tysir Salih
Asrar Mussie Kidane
Maryam Salih

Tanvir Alam Shibli (the 'Landlord') applied for an order to terminate the tenancy and evict Hudda Salih, Tysir Salih, Asrar Mussie Kidane and Maryam Salih (the 'Tenants') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on April 7, 2026.

The Tenants attended the hearing. The Landlord was represented at the hearing by Ramadevi Gavisetty.

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 \$2,300.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$75.62. This amount is calculated as follows: \$2,300.00 x 12, divided by 365 days.
5. The Tenants have made any payments since the application was filed.

6. The Tenants alleged that additional payments were made in cash; however, no documentary evidence or reliable particulars including dates or amounts were provided. I am therefore not satisfied, on a balance of probabilities, that any additional payments were made.
7. Accordingly, I find the rent arrears owing to April 30, 2026 are \$18,700.00.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
9. The Landlord collected a rent deposit of \$2,300.00 from the Tenant 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.
10. Interest on the rent deposit, in the amount of \$304.16 is owing to the Tenant for the period from February 28, 2019, to April 7, 2026.

Section 82 Issues

11. The Tenants raised concerns regarding alleged illegal rent increases, maintenance issues, and communications from the Landlord suggesting they should vacate the unit.
12. These issues were not properly raised under section 82 of the *Residential Tenancies Act, 2006*, as no Notice of Issues was delivered and no corresponding tenant application was filed.
13. Procedural fairness requires that a landlord be given proper notice of the issues they must respond to. In the absence of proper notice, it would be inappropriate to determine these issues in this proceeding.
14. The Tenants remain free to pursue any such claims in a separate application.

Relief from Eviction

15. The Tenants acknowledged that they are unable to pay the arrears and indicated that they intend to vacate the rental unit. Accordingly, I find that it is appropriate to terminate the tenancy
16. I have considered all of the disclosed circumstances and find that it would not be unfair to postpone the eviction until April 30, 2026 pursuant to subsection 83(1)(b) of the Act.

It is ordered that:

1. The tenancy between the Landlord 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 Landlord or to the LTB in trust:**
 - \$18,886.00 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. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$14,511.18. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit are deducted from the amount owing by the Tenant. See Schedule 1 for the calculation of the amount owing.
6. The Tenant shall also pay the Landlord compensation of \$75.62 per day for the use of the unit starting April 8, 2026 until the date the Tenant moves out of the unit.
7. If the Tenant does not pay the Landlord the full amount owing on or before April 30, 2026, the Tenant will start to owe interest. This will be simple interest calculated from May 1, 2026 at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before April 30, 2026, then starting May 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord on or after May 1, 2026.

April 14, 2026
Date Issued

Bryan Delorenzi
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	\$18,700.00
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$18,886.00

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

Rent Owing To Hearing Date	\$16,929.34
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$2,300.00
Less the amount of the interest on the last month's rent deposit	- \$304.16
Total amount owing to the Landlord	\$14,511.18
Plus daily compensation owing for each day of occupation starting April 8, 2026	\$75.62 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	