



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-002708-26

In the matter of: 2111, 111 DAVISVILLE AVE
TORONTO ON M4S 1G5

Between: RPMS Property Management Inc Landlord

and

Sumeyye Hayat Tenants
Athya Conliffe Smith

RPMS Property Management Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Sumeyye Hayat and Athya Conliffe Smith (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on March 30, 2026.

The Landlord's representative, Geoff Paine, and the Tenants, attended the hearing.

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 \$2,120.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$69.70. This amount is calculated as follows: \$2,120.00 x 12, divided by 365 days.
5. It is undisputed that Tenants have not made any payments since the application was filed. The rent arrears owing to March 31, 2026, are \$10,600.00.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. There is no last month's rent deposit.

Relief from Eviction

8. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the Act and find that it would not be unfair to postpone the eviction until April 30, 2026, pursuant to subsection 83(1)(b) of the *Residential Tenancies Act, 2006* (the 'Act').
9. The parties were unsuccessful resolving the issue of rent arrears through a payment plan. The Landlord sought an eviction order for termination and eviction with 11 days for the Tenants to pay off all outstanding amounts and void the order.
10. The Tenants testified regarding their income and expenses; they are on OW and WSIB. The Tenants' expenses exceed their income. Based on the evidence before me, I find that Tenants are unable to afford the current rent, and that the tenancy is not viable. The Tenants requested until May 30, 2026 to vacate the unit.
11. While the Landlord's representative submitted that further delay would cause prejudice, no documentary evidence was provided in support of that position. Therefore, based on the evidence before me I find that a brief postponement to April 30, 2026 is reasonable to allow the Tenants an opportunity to preserve their tenancy, or if necessary, secure alternative accommodation.

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 Board in trust:**
 - \$12,906.00 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 Board 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 \$10,757.00. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.
6. The Tenant shall also pay the Landlord compensation of \$69.70 per day for the use of the unit starting March 31, 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 10, 2026

Date Issued

Adeela Alvez

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	\$12,720.00
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$12,906.00

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

Rent Owing To Hearing Date	\$10,571.00
Application Filing Fee	\$186.00
Total amount owing to the Landlord	\$10,757.00
Plus daily compensation owing for each day of occupation starting March 31, 2026	\$69.70 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	