



Amended Order
Order under Section 69 of the Residential Tenancies Act, 2006
And section 21.1 of the Statutory Powers Procedure Act

File Number: LTB-L-002240-26-AM

In the matter of: 4186 CHERRY HEIGHTS BLVD
Beamsville ON L3J0R3

Between: Habib Tabangi Landlord

And

Celia Knight
Kadesha Graham Tenants

This amended order is issued to correct a clerical error with respect to the rental address in the order dated February 27, 2026. The amendments are bolded and underlined for ease of reference.

Habib Tabangi (the 'Landlord') applied for an order to terminate the tenancy and evict Celia Knight and Kadesha Graham (the 'Tenants') because:

- the Tenants have been persistently late in paying the Tenant's rent.

The Landlord also claimed compensation for each day the Tenants remained in the unit after the termination date.

The Landlord also applied for an order requiring the Tenants to pay the Landlord's reasonable out-of-pocket expenses that are the result of the Tenant's failure to pay utility costs they were required to pay under the terms of the tenancy agreement.

This application was heard by videoconference on February 19, 2026. The Landlord and the Tenants attended the hearing. The Landlord was represented by Kevin Josephs

Determinations:

Preliminary:

1. At the hearing, the Landlord withdrew their claim for unpaid utilities and per diem compensation. As such, the sole issue considered at the hearing was whether the tenancy should be terminated for persistent late payment of rent.

Merits of Application:

2. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy. Therefore, the tenancy is terminated March 31, 2026.
3. The Landlord's application is based on a N8 notice of termination served to the Tenants for persistent late payment of rent. The notice was served on October 28, 2025 and identified a termination date of December 31, 2025.
4. As per the N8 notice, the Tenants have failed to pay the monthly rent in full and on time each month from October 2024 to September 2025 (12 months). The Tenants did not dispute the allegations contained in the notice of termination and further conceded that no rent has been paid to the Landlord since October 2025.
5. 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 postpone the eviction until March 31, 2026 pursuant to subsection 83(1)(b) of the Act.
6. The evidence before the Board suggests that the Tenants are either unable or unwilling to pay their monthly rent on time as such, I find that it would be unfair to the Landlord to impose a conditional order as I find it would likely be breached.
7. At the hearing both Tenants testified to having difficulty with paying the rent on time from October 2024 due to a temporary loss of employment and having to pay off unpaid utility arrears. The Tenants however could not provide any reason or explanation for not paying any rent to the Landlord throughout the last five months, despite both being back to work since October 2025.
8. At the hearing the Tenants requested until April 30, 2026 to vacate the rental unit. I find that this would be unfair to the Landlord as the Tenants payment history throughout the last seventeen months suggests that this would likely result in additional arrears owing.
9. As the Landlord is holding a last month rent deposit, I find that it would not be unfair to delay termination by one-month to March 31, 2026, to allow the Tenants some additional time to secure alternate housing.
10. This Order contains all the reasons for this matter. No further reasons will issue.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before March 31, 2026.
2. If the unit is not vacated on or before March 31, 2026, then starting April 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
3. 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 April 1, 2026.
4. The Tenants shall pay to the Landlord \$186.00 for the cost of filing the application.

5. If the Tenants do not pay the Landlord the full amount owing on or before March 31, 2026, the Tenant will start to owe interest. This will be simple interest calculated from April 1, 2026 at 4.00% annually on the balance outstanding.

February 27, 2026
Date Issued

Fabio Quattrociocchi
Member, Landlord and Tenant Board

April 10, 2026
Date Amended

Fabio Quattrociocchi
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 of the Tenant expires on October 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.