



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-009316-26

In the matter of: Lower Level Basement, 376 Wolfe
Street
OSHAWA ON L1H3V1

Between: Swastika Sookram Landlords
Deonarine Sookram

And

Darryl Ray Tenants
Jill Hay

Swastika Sookram and Deonarine Sookram (the 'Landlords') applied for an order to terminate the tenancy and evict Darryl Ray and Jill Hay (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

The Landlords also claimed charges related to NSF cheques.

This application was heard by videoconference on April 8, 2026.

The Landlords and the Tenant, Jill Hay, attended the hearing.

Determinations:

1. The Landlords served the Tenants with a valid Notice to End Tenancy Early for Non-payment of Rent (N4). The Tenants 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 Tenants were still in possession of the rental unit.
3. The lawful rent is \$1,500.00. It is due on the 1st day of each month.
4. The Tenants have paid \$750.00 to the Landlords since the application was filed.
5. The rent arrears owing to April 30, 2026 are \$6,750.00.

6. The Landlords are entitled to \$60.00 for bank fees the Landlords incurred as a result of cheques given by or on behalf of the Tenants which were returned NSF.
7. The Landlords incurred costs of \$186.00 for filing the application and are entitled to reimbursement of those costs.
8. Accordingly, the total amount the Tenants owe the Landlords is \$6,996.00.
9. 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.
10. The Landlords requested a standard order of eviction taking effect 11 days after the issuance of this order.
11. The Tenants did not contest the amount of arrears and costs owing and proposed a five-month payment plan. The Tenants submitted that that they are now both working and that their combined monthly income is approximately \$6,300.00, with their monthly expenses (groceries, utilities, cell phone, internet and credit card payments) equating to \$1,700.00.
12. Based on the evidence before me, I find that the Tenants' income is sufficient to cover their current expenses, rent and proposed rent arrears payments. The proposed payment plan gives the Tenants an opportunity to preserve their tenancy while also limiting further prejudice to the Landlords because if the Tenants fail to make their payments, the Landlords may file an ex-parte application with the Board.

It is ordered that:

1. The Tenants shall pay to the Landlords \$6,996.00 for arrears of rent up to April 30, 2026 and unpaid NSF charges and costs.
2. The Tenants shall pay to the Landlords the amount set out in paragraph 1 in accordance with the following schedule:
 - a) May 15, 2026 - \$1,500.00;
 - b) June 15, 2026 - \$1,500.00;
 - c) July 15, 2026 - \$1,500.00;
 - d) August 15, 2026 - \$1,500.00; and
 - e) September 15, 2026 - \$996.00.
3. The Tenants shall also pay to the Landlords new rent on time and in full as it comes due and owing for the period May 1, 2026 to September 1, 2026, or until the arrears are paid in full, whichever date is earliest.

4. If the Tenants fail 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 Tenants to the Landlords pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlords may, without notice to the Tenants, apply to the LTB within 30 days of the Tenants' breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenants and requiring that the Tenants pay any new arrears, NSF fees and related charges that became owing after April 30, 2026.

April 15, 2026
Date Issued

Curtis Smith
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.