



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-084480-25

In the matter of: 117, 278 KINGSWOOD DR
KITCHENER ON N2E2K2

Between: Centurion Property Associates Inc Landlord

And

Elham Dargahi Tenant

Centurion Property Associates Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Elham Dargahi (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on April 13, 2026.

The Landlord's representative Robert Rose and the Tenant attended the hearing.

Determinations:

1. The Landlord 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 \$1,592.83. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$52.37. This amount is calculated as follows: \$1,592.83 x 12, divided by 365 days.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to April 30, 2026 are \$15,086.60.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

8. The Landlord collected a rent deposit of \$1,513.70 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.
9. Interest on the rent deposit, in the amount of \$46.81 is owing to the Tenant for the period from January 1, 2025 to April 13, 2026.
10. The Tenant's request for a payment plan is denied. I'm not satisfied that the Tenant will abide by it. While the Tenant fell into arrears because of an issue with ODSP payments, that has now been fixed, the Tenant has made no payments since the application was filed. The Tenant's payment history does not demonstrate that she will abide by a payment plan. I'm also not satisfied that the Tenant has the income to sustainably maintain a payment plan. The Tenant testified that she gets \$2,280.00 from ODSP. The rent is \$1,592.83, and the Tenant proposes to pay \$200.00 monthly towards the arrears. That only leaves the Tenant with \$487.17. The proposed length of the payment plan is also unfair to the Landlord. Even if the Tenant makes the large 4000.00 lump sum payment they said they could make, it would still take them over 4 years to pay off the remaining balance at \$200.00 monthly.
11. 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 May 17, 2026 pursuant to subsection 83(1)(b) of the Act. This is to provide the Tenant with time to find new living arrangements. The Tenant's only source of income is ODSP, the Tenant testified that she has severe anxiety and depression, and adult children living with her who will be impacted by an eviction. However, I have declined to postpone the eviction any further because the Tenant has not made any payments in months, the arrears are substantial, and the Landlord has been waiting a long time for repayment.

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:**
 - \$15,272.60 if the payment is made on or before April 30, 2026. See Schedule 1 for the calculation of the amount owing.

OR

 - \$16,865.43 if the payment is made on or before May 17, 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 May 17, 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 May 17, 2026.**
5. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$12,800.07. 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 \$52.37 per day for the use of the unit starting April 14, 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 May 17, 2026, the Tenant will start to owe interest. This will be simple interest calculated from May 18, 2026 at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before May 17, 2026, then starting May 18, 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 18, 2026.

April 17, 2026
Date Issued

Amanda Kovats
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 18, 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	\$15,086.60
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$15,272.60

B. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before May 17, 2026

Rent Owing To May 31, 2026	\$16,679.43
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$16,865.43

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

Rent Owing To Hearing Date	\$14,174.58
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,513.70
Less the amount of the interest on the last month's rent deposit	- \$46.81
Total amount owing to the Landlord	\$12,800.07
Plus daily compensation owing for each day of occupation starting April 14, 2026	\$52.37 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	