



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

File Number: LTB-L-006519-26

In the matter of: 1403-105 Oneida Cres.
Richmond Hill, ON L4B0H6

Between: Pattie Watkins Landlord

And

Shabnam Kolahdouz Esfahani Tenant
Masoud Hosseinnia

Pattie Watkins (the 'Landlord') applied for an order to terminate the tenancy and evict Shabnam Kolahdouz Esfahani and Masoud Hosseinnia (collectively the 'Tenant') because the Tenant did not pay the rent owed.

This application was heard by videoconference on April 20, 2026.

The Landlord's Representative, Robert Rose, the Landlord, and Tenant Masoud Hosseinnia, (on his own behalf and on behalf of Tenant, Shabnam Kolahdouz Esfahani), attended the hearing.

The Tenant met with Tenant Duty Counsel prior to the commencement of the hearing.

At the hearing the parties consented to the following terms and conditions. I was satisfied that the parties provided informed consent.

Parties agreed that:

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 \$3,500.00. It is due on the 15th day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$115.07. This amount is calculated as follows: \$3,500.00 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 May 14, 2026, are \$52,500.00.
7. The rent arrears owing to the Landlord are more than the LTB's monetary jurisdiction. Under subsection 207(1) of the Residential Tenancies Act, 2006 (the 'Act') the LTB may order payment up to \$50,000.00. Proceeding with this application at the LTB extinguishes any rights the Landlord may have to claim the full amount owing at the LTB or a court. The Landlord was made aware of the LTB's monetary jurisdiction and chose to proceed with this application.
8. While the Board cannot order a person to pay more than \$50,000.00 in accordance with s. 207(1) of the Act, this does not apply to the "stay and pay" option set out in paragraph 2 the order below. In *Galaxy Real Estate Core Ontario LP v. Kirpichova et al.*, 2023 ONSC 4356, the Divisional Court confirmed that the Board's monetary jurisdiction does not apply to the amount the Tenant must pay if they choose to void the order and continue the tenancy in accordance with section 74(4) of the Act. Therefore, the Tenants must pay the full arrears owing, plus the Landlords' costs, if they want to void the order and continue this tenancy.
9. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
10. There is no last month's rent deposit.
11. At the hearing, parties agreed to an extended termination date of May 14, 2026.

It is ordered on consent 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:**
 - \$52,686.00 if the payment is made on or before May 14, 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 14, 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 14, 2026.**
5. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$49,876.42. 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 \$115.07 per day for the use of the unit starting April 21, 2026, until the date the Tenant moves out of the unit. However, the requirement to pay going daily compensation ceases once the total amount owing (excluding costs) is \$50,000.00, which is the Board's monetary jurisdiction.
7. If the Tenant does not pay the Landlord the full amount owing on or before May 14, 2026, the Tenant will start to owe interest. This will be simple interest calculated from May 15, 2026, at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before May 14, 2026, then starting May 15, 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 15, 2026.

April 24, 2026
Date Issued

Ken Audziss
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 15, 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.

When the capitalized word "Tenant" is used in this order, it refers to all persons identified as a Tenant at the top of the order.

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 May 14, 2026

Rent Owing to May 14, 2026	\$52,500.00
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$52,686.00

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

Rent Owing to Hearing Date, April 20, 2026	\$49,690.42
Application Filing Fee	\$186.00
Total amount owing to the Landlord	\$49,876.42
Plus, daily compensation owing for each day of occupation starting April 21, 2026	\$115.07 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	