



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-011915-26

In the matter of: 302, 100 YORK GATE BLVD
NORTH YORK ON M3N2C4

Between: Elm Place Inc - 100 York Gate Blvd

Landlord

And

Rayatheepan Thangavadivel

Tenant

Elm Place Inc - 100 York Gate Blvd (the 'Landlord') applied for an order to terminate the tenancy and evict Rayatheepan Thangavadivel (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on April 29, 2026.

Only the Landlord's representative, Sylwia McArthur, attended the hearing.

As of 9:44 a.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

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 \$1,484.28. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$48.80. This amount is calculated as follows: \$1,484.28 x 12, divided by 365 days.
5. The Tenant has paid \$4,822.04 to the Landlord since the application was filed.
6. The rent arrears owing to April 30, 2026, are \$30.08.

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 \$1,437.79 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 \$9.84 is owing to the Tenant for the period from January 1, 2026, to April 29, 2026.
10. The Landlord's legal representative asked for a standard order. The Tenant has lived in the unit since 2012. Given that the amount owing beyond the filing fee is minimal and the Tenant has been paying their lawful monthly rent in full since the application was filed, this would not, in my view, justify termination of the tenancy. Therefore, I am only ordering arrears to be paid. Accordingly, 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 pursuant to subsection 83(1)(a) of the Act.

It is ordered that:

1. The Tenant shall pay to the Landlord \$216.08 being the amount of arrears (\$30.08) owing to April 30, 2026 and the filing fee (\$186.00)
2. 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 April 18, 2026 at 4.00% annually on the balance outstanding.

May 6, 2026
Date Issued

Vinuri Sivalingam
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.