



Order under Section 21.2 of the Statutory Powers Procedure Act and the Residential Tenancies Act, 2006

File Number: LTB-L-006729-26

In the matter of: 901, 10 TUXEDO CRT
SCARBOROUGH ON M1G3S4

Between: CAPREIT LIMITED PARTNERSHIP Landlord

And

KRISHNAPILLAI ELANGESAN Tenant
SHANTHINI ELANGESAN

Review Order

CAPREIT LIMITED PARTNERSHIP (the 'Landlord') applied for an order to terminate the tenancy and evict KRISHNAPILLAI ELANGESAN and SHANTHINI ELANGESAN (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-006729-26 issued on March 6, 2026. This application was heard by videoconference on March 2, 2026. Only the Tenant, Krishnapillai Elangesan, attended the hearing. As of 1:41 p.m., the Landlord 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.

On March 9, 2026, the Landlord filed a request to review the order issued March 6, 2026, as they were not reasonably able to participate in the proceedings.

On March 10, 2026, Interim Order LTB-L-006729-26-RV-IN was issued, directing the LTB to schedule a hearing of the Landlord's request to review.

This review hearing was heard by videoconference on April 27, 2026. The Landlord's legal representative, Jason Paine, and the Tenant, Krishnapillai Elangesan, on behalf of both Tenants attended the hearing.

Before the start of the hearing the parties advised that they had reached an agreement. As a result of the resolution discussion, the parties mutually agreed to resolve all matters at issue in the application and requested an order on consent. I was satisfied that the parties understood the terms and consequences of their consent.

The parties agreed to the following:

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 \$2,388.65. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$78.53. This amount is calculated as follows: $\$2,388.65 \times 12$, 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 \$14,815.92.
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 \$2,388.65 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.
9. Interest on the rent deposit, in the amount of \$45.49 is owing to the Tenant for the period from June 1, 2025 to April 27, 2026.
10. The parties agree to the non-voidable termination date set out in the order below.

It is ordered on consent that:

1. The request to review order LTB-L-006729-26 issued on March 6, 2026 is granted.
2. Order LTB-L-006729-26 issued on March 6, 2026 is cancelled and replaced by this order.
3. The tenancy between the Landlord and the Tenant is terminated. The Tenant must vacate the unit on or before April 30, 2026.
4. The Tenant shall pay \$15,001.92 to the Landlord for arrears of rent to April 30, 2026 and costs.
5. The Tenant shall also pay the Landlord compensation of \$78.53 per day for the use of the unit starting May 1, 2026 until the date the Tenant moves out of the unit.
6. If the Tenant does not pay the Landlord the full amount owing on or before April 30, 2026, the Tenant will start to owe interest. This will be simple interest calculated from May 1, 2026 at 4.00% annually on the balance outstanding.
7. If the unit is not vacated on or before April 30, 2026, then starting May 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.

8. 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 1, 2026.

May 1, 2026
Date Issued

Christine Leitch
Hearings Officer, 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 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.