



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

File Number: LTB-L-015891-26

In the matter of: 62, 27 ELDORA AVE
NORTH YORK ON M2M 0B5

Between: Kevin Tak H. Tam
Rebecca Suk Yee Tam Landlords

and

Zain Bukhari Tenant

Kevin Tak H. Tam and Rebecca Suk Yee Tam (the 'Landlords') applied for an order to terminate the tenancy and evict Zain Bukhari (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard in videoconference room 103 on April 30, 2026.

The Landlord Kevin Tak H. Tam, the Landlords' legal representative Nivetha Vijayakanthan and the Tenant attended the hearing.

Determinations:

1. The Landlords 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 \$2,600.00. It is due on the 1st day of each month.
4. The Tenant has not made any payments since the application was filed.
5. The Tenant agreed that rent arrears owing to April 30, 2026 are \$12,500.00 and requested relief from eviction based on his circumstances which include a disability and other legal proceedings which have been draining his resources. He is now ready to rejoin the workforce and proposed that if he is successful in his job interview next week, the tenancy can be preserved through a repayment plan where he will contribute \$1,800.00 a month towards the arrears of rent in addition to ongoing rent. He is also hopeful that the Rent Bank and a family member can contribute. He is committed to preserving his tenancy but I

cannot can have no confidence in his proposed repayment plan because it is speculative. The Landlords' circumstances include the fact that they are small landlords facing financial distress because of the magnitude of the arrears.

6. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act') and the values enshrined in the *Human Rights Code*, and find that it would not be unfair to postpone the eviction until June 6, 2026 pursuant to subsection 83(1)(b) of the Act in the hopes that the Tenant can call upon what community resources may be available to retire this debt and preserve his tenancy.
7. The Landlords collected a rent deposit of \$2,600.00 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.
8. Interest on the rent deposit, in the amount of \$119.60 is owing to the Tenant for the period from May 1, 2024 to April 30, 2026.
9. Based on the monthly rent, the daily rent/compensation is \$85.48. This amount is calculated as follows: \$2,600.00 x 12, divided by 365 days.
10. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The tenancy between the Landlords 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 Landlords or to the LTB in trust:**
 - \$15,286.00 if the payment is made on or before May 31, 2026. See Schedule 1 for the calculation of the amount owing.

OR

 - \$17,886.00 if the payment is made on or before June 6, 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 June 6, 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 June 6, 2026.**
5. If the Tenant does not void the order, the Tenant shall pay to the Landlords \$9,966.40. 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 Landlords owe 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 Landlords compensation of \$85.48 per day for the use of the unit starting May 1, 2026 until the date the Tenant moves out of the unit.
7. If the Tenant does not pay the Landlords the full amount owing on or before June 6, 2026, the Tenant will start to owe interest. This will be simple interest calculated from June 7, 2026 at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before June 6, 2026, then starting June 7, 2026, the Landlords 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 Landlords on or after June 7, 2026.

May 4, 2026
Date Issued

Nersi Makki

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 December 7, 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 May 31, 2026

Rent Owing To May 31, 2026	\$15,100.00
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$15,286.00

B. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before June 6, 2026

Rent Owing To June 30, 2026	\$17,700.00
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$17,886.00

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

Rent Owing To Hearing Date	\$12,500.00
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$2,600.00
Less the amount of the interest on the last month's rent deposit	- \$119.60
Total amount owing to the Landlords	\$9,966.40
Plus daily compensation owing for each day of occupation starting May 1, 2026	\$85.48 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	