



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-012031-26

In the matter of: 1104, 100 DUNDAS STREET EAST
MISSISSAUGA ON L5A1W5

Between: Galaxy Real Estate Core Ont. Properties Landlord

And

Shabana Sediqi Tenants
Khawja Mohammad Samir Sadoqi
KH Mohammad Fahim Sediqi

Galaxy Real Estate Core Ont. Properties (the 'Landlord') applied for an order to terminate the tenancy and evict Shabana Sediqi, Khawja Mohammad Samir Sadoqi and KH Mohammad Fahim Sediqi (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on April 23, 2026.

The Landlord's legal representative, Sean Beard, the Tenants, Khawja Mohammad Samir Sadoqi and KH Mohammad Fahim Sediqi, and the Tenants' support person, Marci Bryan, attended the hearing.

Determinations:

1. The Landlord served the Tenants with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenants 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 Tenants were still in possession of the rental unit.
3. The lawful rent is \$2,857.82. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$93.96. This amount is calculated as follows: \$2,857.82 x 12, divided by 365 days.
5. The Tenants have paid \$8,348.46 to the Landlord since the application was filed.
6. The rent arrears owing to April 30, 2026, are \$3,007.82.

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 \$2,857.82 from the Tenants 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 \$28.61 is owing to the Tenants for the period from November 1, 2025, to April 23, 2026.

Landlord submissions

10. The position of the Landlord is this is a new tenancy commencing in November 2025 and the Tenant fell into arrears in January 2026.
11. The Landlord stated that the Tenants also have two guarantors on the tenancy agreement and have still fallen into arrears.
12. The Landlord is seeking a standard order for eviction and arrears.

Tenant submissions

13. The Tenants do not dispute the arrears and requested the Board consider a repayment plan for consideration to preserve the tenancy and repay the Landlord.
14. The Tenant's offered to pay \$200.00 per month towards the arrears.
15. The Tenants submitted financials to the Board to determine if the Tenants' could provide a reasonable repayment plan.
16. The total monthly income of all the Tenants after tax is \$5,600.00.
17. Based on the submissions the Tenants' total expenses are \$5,893.00 per month.

Analysis

18. The termination of a tenancy is a remedy of last resort and relief should be granted where the tenancy can be saved without overly prejudicing a landlord's interests.
19. In this case, based on the evidence and submissions before me I find the tenancy is not viable. The Tenants are spending more than they are making and there is no opportunity for a repayment plan.

20. The Tenants support person stated that she will help the Tenants with researching assistance from agencies like rent bank and one of the Tenants has a case worker that may be able to provide information on financial assistance.
21. There is one adult occupant living in the rental unit, the wife of one of the Tenants, Samir. Samir stated that his wife has cancer.
22. The Tenant led with insufficient evidence to support this claim and provided little details on her condition or treatments.
23. The Tenant requested an extended eviction date of June 30, 2025.

Section 83 relief / delay from eviction

24. The arrears of rent owing are approximately \$200.00 over one months rent.
25. I find it reasonable to provide the Tenants with a short delay to get their finances in order and apply to financial support agencies so they can pay the arrears owing the Landlord, however I find a June 30, 2026 does not balance the interests of the Landlord.
26. The Tenants have, within two months of the tenancy accumulated arrears by what I determine to be overspending and a longer delay is prejudicial to the Landlord.
27. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), including whether the Landlord attempted to negotiate a repayment agreement with the Tenants and find that it would not be unfair to postpone the eviction until May 31, 2026, pursuant to subsection 83(1)(b) of the Act.

It is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated unless the Tenants void this order.
2. **The Tenants may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**
 - \$6,051.64 if the payment is made on or before May 31, 2026. See Schedule 1 for the calculation of the amount owing.
3. The Tenants may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenants have paid the full amount owing as ordered plus any additional rent that became due after May 31, 2026, but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenants may only make this motion once during the tenancy.
4. **If the Tenants do not pay the amount required to void this order the Tenants must move out of the rental unit on or before May 31, 2026.**
5. As of the date of the hearing, the amount of the rent deposit and interest the Landlord owes on the rent deposit exceeds the arrears of rent, compensation and the cost of filing

the application the Landlord is entitled to by \$389.35. See Schedule 1 for the calculation of the amount owing. However, the Landlord is authorized to deduct from the amount owing to the Tenants \$93.96 per day for compensation for the use of the unit starting April 24, 2026, until the date the Tenants move out of the unit.

6. The Landlord or the Tenants shall pay to the other any sum of money that is owed as a result of this order.
7. If the unit is not vacated on or before May 31, 2026, then starting June 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 June 1, 2026.

May 4, 2026
Date Issued

Greg Brocanier
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 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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenants 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	\$14,214.10
Application Filing Fee	\$186.00
Less the amount the Tenants paid to the Landlord since the application was filed	- \$8,348.46
Total the Tenants must pay to continue the tenancy	\$6,051.64

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

Rent Owing To Hearing Date	\$10,659.54
Application Filing Fee	\$186.00
Less the amount the Tenants paid to the Landlord since the application was filed	- \$8,348.46
Less the amount of the last month's rent deposit	- \$2,857.82
Less the amount of the interest on the last month's rent deposit	- \$28.61
Total amount owing to the Landlord	\$(389.35)
Plus, daily compensation owing for each day of occupation starting April 24, 2026	\$93.96 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	