



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

File Number: LTB-L-019976-26

In the matter of: 1712, 185 Bonis Avenue
Toronto ON M1T0A4

Between: Sui Lan Mark Landlord

And

Adeel Ahmed Tenant

Sui Lan Mark (the 'Landlord') applied for an order to terminate the tenancy and evict Adeel Ahmed (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The Landlord also claimed charges related to NSF cheques.

This application was heard by videoconference on May 12, 2026.

The Landlord, the Landlord's Agent, Kevin Lai, and the Tenant attended the hearing.

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 \$1,852.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$60.89. This amount is calculated as follows: \$1,852.00 x 12, divided by 365 days.
5. The Tenant has paid \$3,704.00 to the Landlord since the application was filed.
6. The rent arrears owing to May 31, 2026 are \$7,408.00. The Tenant did not dispute the amount of the arrears.
7. The Landlord is entitled to \$80.00 to reimburse the Landlord for administration charges the Landlord incurred as a result of 4 cheques given by or on behalf of the Tenant which were returned NSF.

8. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.
9. The Landlord collected a rent deposit of \$1,700.00 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.
10. Interest on the rent deposit, in the amount of \$172.74 is owing to the Tenant for the period from September 1, 2021 to May 12, 2026.

Section 83 Considerations:

11. The Tenant testified he lost his job over a year ago and he has been using his savings and doing some side jobs. The Tenant testified he got a job 2 weeks ago and his income is \$5,000.00 per month after tax. The Tenant proposed a payment plan of \$1,500.00 bi-weekly, however his total expenses are \$2,982.00 per month.
12. The Tenant testified that he does not have family or friends that could assist him, and he would need a while to find alternative accommodations if evicted as he has nowhere else to live.
13. The Landlord testified she does not want a payment plan as the Tenant has gone into arrears previously. The Landlord testified that this is her only rental property and she is retired, so when the Tenant does not pay the rent it impacts her finances. The Landlord is seeking a standard 11-day eviction order.
14. 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 subject to the conditions set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act. While I accept that the arrears are not insignificant, I accept the Tenant's evidence regarding his expenses and the expectation of how much he will be receiving from employment income, and I am satisfied that the tenancy is viable, despite the Tenant not providing supporting documentation. As a result, it would not be unfair to deny eviction subject to a payment plan. If the Tenant does not pay the arrears back according to the plan, the Landlord can bring an application to evict him under section 78.

It is ordered that:

1. The tenancy between the Landlord and the Tenant continues if the Tenant meets the conditions set out below.
2. The Tenant shall pay to the Landlord \$7,689.00 for arrears of rent up to May 31, 2026, inclusive of the filing fee.
3. The Tenant shall pay to the Landlord the amount in paragraph 2 of this order in accordance with the following schedule:
 - a. Starting May 2026 and ending September 2026, the Tenant shall pay to the Landlord \$1,537.80 per month on or before the last day of the month.

4. Commencing June 1, 2026 and continuing until September 1, 2026, or until the arrears are paid in full, whichever date is earliest, the Tenant shall pay to the Landlord the lawful monthly rent on or before the first day of the month.
5. If the Tenant fails to comply with any of the conditions set out in paragraphs 3 and 4 of this order, the Landlord may apply under section 78 of the Residential Tenancies Act, 2006 (the 'Act') for an Order terminating the tenancy and evicting the Tenant, and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after May 31, 2026. The Landlord must make the application within 30 days of the breach of a condition. This application is made to the LTB without notice to the Tenant.

May 20, 2026
Date Issued

Allana McComb
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.