



Order under Section 69 Residential Tenancies Act, 2006

Citation: CAPREIT Limited Partnership v Hakemy, 2026 ONLTB 41237

Date: 2026-05-29

File Number: LTB-L-021110-26

In the matter of: 305, 5 KINGS CROSS RD
BRAMPTON ON L6T3X6

Between: CAPREIT Limited Partnership

Landlord

And

Fazal Rahman Hakemy
Ahsanulla Baregzay

Tenants

CAPREIT Limited Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Fazal Rahman Hakemy and Ahsanulla Baregzay (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on May 21, 2026.

The Landlord's Legal Representative, Gabriela Quaresma and the Tenant, Fazal Rahman Hakemy attended the hearing. The Tenant Fazal Rahman Hakemy appeared as Agent on consent for the Tenant, Ahsanulla Baregzay. The Tenant Fazal Rahman Hakemy, declined to speak to Tenant Duty Counsel prior to the start of this proceeding.

At the hearing, the parties before the LTB consented to the following order. I was satisfied that the parties understood the consequences of their consent.

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 \$2,075.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$68.22. This amount is calculated as follows: \$2,075.00 x 12, divided by 365 days.

5. The Tenants have not made any payments since the application was filed.
6. The rent arrears owing to May 31, 2026 are \$12,450.00.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. There is no last month's rent deposit.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenants is terminated unless the Tenants voids this order.
 2. **The Tenants may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**
 - \$12,636.00 if the payment is made on or before May 31, 2026. See Schedule 1 for the calculation of the amount owing.
- OR**
- \$14,711.00 if the payment is made on or before June 9, 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 has paid the full amount owing as ordered plus any additional rent that became due after June 9, 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 June 9, 2026.**
 5. If the Tenants do not void the order, the Tenants shall pay to the Landlord \$11,993.62. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. See Schedule 1 for the calculation of the amount owing.
 6. The Tenants shall also pay the Landlord compensation of \$68.22 per day for the use of the unit starting May 22, 2026 until the date the Tenants moves out of the unit.
 7. If the Tenants do not pay the Landlord the full amount owing on or before June 9, 2026, the Tenants will start to owe interest. This will be simple interest calculated from June 10, 2026 at 4.00% annually on the balance outstanding.
 8. If the unit is not vacated on or before June 9, 2026, then starting June 10, 2026, the Landlord 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 Landlord on or after June 10, 2026.

May 29, 2026
Date Issued

Panagiotis P. Roupas
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 10, 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	\$12,450.00
Application Filing Fee	\$186.00
Total the Tenants must pay to continue the tenancy	\$12,636.00

B. Amount the Tenants must pay to void the eviction order and continue the tenancy if the payment is made on or before June 9, 2026

Rent Owing To June 30, 2026	\$14,525.00
Application Filing Fee	\$186.00
Total the Tenants must pay to continue the tenancy	\$14,711.00

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

Rent Owing To Hearing Date	\$11,807.62
Application Filing Fee	\$186.00
Total amount owing to the Landlord	\$11,993.62
Plus daily compensation owing for each day of occupation starting May 22, 2026	\$68.22 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	