



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-022833-26

In the matter of: 909, 1501 WOODBINE AVE
TORONTO ON M4C4H1

Between: Metcap Living Management Inc. Landlord

And

Yaser Mirza Tenant

Metcap Living Management Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Yaser Mirza (the 'Tenant') because:

- the Tenant has been persistently late in paying the Tenant's rent.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on May 28, 2026.

Only the Landlord's representative, Stella Idahosa, attended the hearing.

As of 10:03 a.m., the Tenant 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.

Determinations:

1. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy and the claim for compensation in the application. The Landlord is seeking a conditional order to allow the Tenant an opportunity to preserve the tenancy which I find reasonable. As such, an order requiring prompt payment is ordered.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On February 17, 2026, the Landlord gave the Tenant an N8 notice of termination. The notice of termination alleges the Tenant paid the rent late 12 months listed from January 2025 to February 2026.

4. Based on the uncontested evidence of the Landlord's Representative, I find the Tenant has persistently failed to pay the rent on the date it was due. The rent is due on the 1st day of each month. The rent was paid late 12 times in 14 months between January 1, 2025, to February 1, 2026.
5. Since the N8 notice was served, the Tenant paid rent late for the months of March 2026 and April 2026 and paid rent on time for the month of May 2026. I therefore find the Tenant has paid rent late a further 14 times out of 17 months.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. The Landlord requested a conditional order. 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.

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 the Landlord monthly lawful rent owing on or before the first day of each month commencing June 1, 2026, and continuing thereafter until and including May 1, 2027.
3. If the Tenant fails to comply with the conditions set out in paragraph #2 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. The Landlord must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Tenant.
4. The Tenant shall also pay to the Landlord \$186.00 for the cost of filing the application.
5. The total amount the Tenant must pay the Landlord is \$186.00.
6. If the Tenant does not pay the Landlord the full amount owing on or before June 13, 2026, the Tenant will start to owe interest. This will be simple interest calculated from June 14, 2026 at 4.00% annually on the balance outstanding.

June 2, 2026
Date Issued

Vinuri Sivalingam
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.