



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

File Number: LTB-L-019012-26

In the matter of: 412 STAINES RD
SCARBOROUGH ON M1X2B9

Between: Arudsakthy Sabaratnam Landlord

And

KENGESWARAN KASTHURI Tenants
AJAINTHAN SIVASOTHY
RASAMANY THEVARASA
MOHANATHASAN THARMALINGAM
THEVARAJAH KENGESWARAN

Arudsakthy Sabaratnam (the 'Landlord') applied for an order to terminate the tenancy and evict KENGESWARAN KASTHURI, AJAINTHAN SIVASOTHY, RASAMANY THEVARASA, MOHANATHASAN THARMALINGAM and THEVARAJAH KENGESWARAN (the 'Tenants') because:

- the Tenants did not pay the rent that the Tenants owe (L1 Application)
- the Tenants, another occupant of the rental unit or someone the Tenants permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant (L2 Application)

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

Arudsakthy Sabaratnam (the 'Landlord') also applied for an order requiring KENGESWARAN KASTHURI, AJAINTHAN SIVASOTHY, RASAMANY THEVARASA, MOHANATHASAN THARMALINGAM and THEVARAJAH KENGESWARAN (the 'Tenants') to pay the Landlord's reasonable out-of-pocket expenses that are the result of the Tenants failure to pay utility costs they were required to pay under the terms of the tenancy agreement.

This application was heard by videoconference on May 28, 2026. The Landlord, the Landlord's daughter, Vyshnavay Paranalingam, the Landlord's legal representative, Dan Schofield, the Tenant Thevarajah Kenegeswaran and the Tenants legal representative, Mengying Mahavalirajan attended the hearing.

The parties resolved the matter directly and requested an order on consent.

I am satisfied that parties understand the terms and consequences of their consent, including waiving the right to a merit hearing for this application.

Agreed Facts:

1. The parties agree that the lawful monthly rent is due on the 1st day of each month.
2. The Landlord will provide the Tenant with water bill, and the Tenant will pay the water bill in full the day before the due date stated in the bill.

On consent of the parties, it is ordered that:

L1 Application:

1. The Tenants shall pay to the Landlord \$27,736.00 which represents \$27,550.00 for arrears of rent and costs of \$186.00 for the period ending May 31, 2026.
2. The Tenants shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:
 - \$2,311.34 on or before the 15th day of each month in 11 equal payments commencing June 15, 2026, up to and including April 15, 2027.
 - \$2,311.26 on or before May 15, 2027.
3. The Tenants shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period June 1, 2026, to May 1, 2027, or until the arrears are paid in full, whichever date is earliest.
4. If the Tenants fail to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenants to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenants, apply to the LTB within 30 days of the Tenants breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenants and requiring that the Tenants pay any new arrears, NSF fees and related charges that became owing after May 31, 2026.

L2 Application:

5. The Tenants shall pay to the Landlord \$3,304.21 which represents unpaid water bills for the period ending May 31, 2026.
6. The Tenants shall pay to the Landlord the amount set out in paragraph 5 in accordance with the following schedule:
 - \$550.70 on or before the 15th day of each month in 5 equal payments commencing June 15, 2026, up to and including October 15, 2026.
 - \$550.71 on or before November 15, 2026.

7. Through out the duration of the tenancy, the Tenants shall pay the water bill for the rental unit in full on the day before the due date stated in the water bill.
8. If the Tenants fail to comply with the conditions set out in paragraphs 6 & 7 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 Tenants. 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 Tenants.

June 1, 2026
Date Issued

Oluwatobi Abobarin
Hearings Officer, 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.