



Order under Section 69 Residential Tenancies Act, 2006

Citation: DHALIWAL v ANIGBOGU, 2026 ONLTB 45022

Date: 2026-06-08

File Number: LTB-L-025851-26

In the matter of: 423 UPPER SHERMAN AVE
HAMILTON ON L8V3L4

Between: SUMREET DHALIWAI Landlord

And

ANITA OBIANUJU ANIGBOGU Tenant

Sumreet Dhaliwal (the 'Landlord') applied for an order to terminate the tenancy and evict ANITA OBIANUJU ANIGBOGU (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on June 4, 2026. The Landlord 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. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Tenant vacated the rental unit on May 28, 2026. Rent arrears are calculated up to the date the Tenant vacated the unit
4. The lawful rent is \$660.00. It was due on the 1st day of each month.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to May 28, 2026, are \$1,927.60.
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 \$660.00 from the Tenant and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy terminated.
9. Interest on the rent deposit, in the amount of \$14.92 is owing to the Tenant for the period from May 1, 2025, to May 28, 2026.
10. The Tenant raised several issues. First, she says that the tenancy should have ended in accordance with the termination date of March 18, 2026, on an N5 notice she received from the Landlord.
11. Even if the Tenant was given a notice of termination, if the Tenant did not move out in accordance with that notice, she was still required to pay the monthly rent. The obligation to pay rent ends when the Tenant moved out. In this case, that date was May 28, 2026. The Tenant agrees that she did not pay any rent for March, April, or May 2026.
12. The Tenant further raised that her last months' rent deposit would off-set May's rent. I agree. The order reflects the last months' rent deposit and interest owed by the Landlord to the Tenant, and this has been applied to the arrears.
13. Lastly, the Tenant wished to raise issues pursuant to s.82 of the Act alleging the Landlord harassed her. Although materials were uploaded to the Tribunals Ontario Portal ('portal'), the Tenant did not serve this evidence to the Landlord, nor advise the Landlord of her intention to raise these issues during the hearing, in accordance with Rule 19 of the Board's Rules of Procedure. Therefore, I found it would be prejudicial to allow the Tenant to raise these issues during the hearing as the Landlord could not have adequately prepared to dispute the allegations.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of May 28, 2026, the date the Tenant moved out of the rental unit.
2. The Tenant shall pay to the Landlord \$1,438.68. This amount includes rent arrears owing up to the date the Tenant moved out of the rental unit and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit is deducted from the amount owing by the Tenant. See Schedule 1 for the calculation of the amount owing.
3. If the Tenant does not pay the Landlord the full amount owing on or before June 19, 2026, the Tenant will start to owe interest. This will be simple interest calculated from June 20, 2026, at 4.00% annually on the balance outstanding.

June 8, 2026
Date Issued

Jane Dean
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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenant must pay as the tenancy is terminated

Rent Owing To Move Out Date	\$1,927.60
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$660.00
Less the amount of the interest on the last month's rent deposit	- \$14.92
Total amount owing to the Landlord	\$1,438.68