



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-039589-26

In the matter of: BASEMENT, 119 RUTHERFORD RD N
BRAMPTON ON L6V2J4

Between: Bhargav Hiteshbhai Desai Landlord

And

Manjinder Singh Tenants
Gurpreet Kaur

Bhargav Hiteshbhai Desai (the 'Landlord') applied for an order to terminate the tenancy and evict Manjinder Singh and Gurpreet Kaur (the 'Tenants') because:

- the Tenant did not pay the rent that the Tenants' owe (L1 Application); and
- the Tenants have been persistently late in paying the Tenants' rent; (L2 Application).

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

This application was heard by videoconference on June 8, 2026.

Only the Landlord attended the hearing.

As of 9:47 a.m., the Tenants were 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:

L1 Application – Non-Payment of Rent

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 \$1,500.00. It is due on the 1st day of each month.

4. Based on the Monthly rent, the daily rent/compensation is \$49.32. This amount is calculated as follows: \$1,500.00 x 12, divided by 365 days.
5. The Tenants have paid \$2,000.00 to the Landlord since the application was filed.
6. The rent arrears owing to June 30, 2026 are \$4,500.00.
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 \$1,500.00 from the Tenants 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.
9. Interest on the rent deposit, in the amount of \$19.25 is owing to the Tenants for the period from October 29, 2025 to June 8, 2026.

L2 Application – Persistent Late Payment of Rent

10. On April 19, 2026, the Landlord gave the Tenants an N8 notice of termination. The notice of termination contains the following allegations: During the period of December 2025 to April 2026, the Tenants persistently paid rent late 5 out of 5 months.
11. I find that the N8 notice complies with the *Residential Tenancies Act, 2006*, it meets the 60-day requirement, and it provides sufficient details as to the reason for the notice.
12. The Landlord testified that the rent is due on the 1st day of each month. The rent has been paid late 5 times in the past 5 months. For each and every month from December 2025 to April 2026, the Tenants paid rent late for 5 consecutive months.
13. On the basis of the uncontested evidence before me, I am satisfied on a balance of probabilities that the Tenants have persistently failed to pay the rent on the date it was due.

Relief from Eviction

14. The Landlord seeks a standard order terminating the tenancy and evicting the Tenants. They testified that they were unaware of any special circumstances of the Tenants that may cause the eviction to be delayed or denied. They testified that since the application was filed on May 5, 2026, to the date of the hearing, the Tenants have continued to fail to pay the rent on the date it was due, or not at all. The Landlords seek to terminate the tenancy. The Tenants did not attend the hearing to provide evidence of their circumstances.
15. 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 be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

It is ordered that:

1. Pursuant to the L2 Application, the tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before June 30, 2026.
2. The Tenants shall pay the Landlord any rent arrears owing up to the date of the hearing and the cost of filing the application. The amount of the rent deposit and interest the Landlord owes on the rent deposit are deducted from the amount owing by the Tenants.
3. As of the date of the hearing, the Tenants owe the Landlord \$2,061.31. See Schedule 1 for the calculation of the amount owing.
4. The Tenants shall also pay the Landlord compensation of \$49.32 per day for the use of the unit starting June 9, 2026 to the date the Tenants move out of the unit.
5. If the Tenants do not pay the Landlord the full amount owing on or before June 30, 2026, the Tenant will start to owe interest. This will be simple interest calculated from July 1, 2026 at 4.00% annually on the balance outstanding.
6. If the unit is not vacated on or before June 30, 2026, then starting July 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
7. 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 July 1, 2026.

June 19, 2026
Date Issued

Colette Myers
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 of the Tenant expires on January 1, 2027 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 Tenant must pay as the tenancy is terminated

Rent Owing To June 8, 2026	\$5,394.56
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	-\$2,000.00
Less the amount of the last month's rent deposit	-\$1,500.00
Less the amount of the interest on the last month's rent deposit	-\$19.25
Total amount owing to the Landlord	\$2,061.31
Plus daily compensation owing for each day of occupation starting June 9, 2026	\$49.32 (per day)