



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

File Number: LTB-L-019200-26

In the matter of: 8356 ATACK CRT
NIAGARA FALLS ON L2H3N4

Between: HARMEET SINGH SAINI Landlord

And

MELISSA RESHMA JACK Tenant
JULIUS WARREN BINDA

HARMEET SINGH SAINI (the 'Landlord') applied for an order to terminate the tenancy and evict MELISSA RESHMA JACK and JULIUS WARREN BINDA (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on May 11, 2026.

The Landlord and the Tenant Melissa Reshma Jack attended the hearing.

When the capitalized word "Landlord" is used in this order, it refers to all persons or companies identified as a Landlord at the top of the order. When the capitalized word "Tenant" is used in this order, it refers to all persons identified as a Tenant.

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 9, 2026. Rent arrears are calculated up to the date the Tenant vacated the unit
4. The lawful rent is \$2,500.00. 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 9, 2026, are \$14,739.71.

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 \$2,500.00 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 \$147.87 is owing to the Tenant for the period from December 2, 2023 to May 9, 2026.
10. At the hearing the Landlord sought a standard order and the Tenant a payment plan for the arrears. The Tenant testified that she has a monthly income of \$4400.00 currently, against expenses of approximately \$4,540 per month. However, she testified that starting in September 2026 she will only be receiving \$2100.00 from her child tax benefit. The Tenant testified that she currently works under contract and is struggling to maintain her ability to pay rent and care for her children.
11. I am not satisfied that a payment plan is appropriate, based on the Tenants income and expenses the proposed payment plan of \$200.00 per month is not viable. Additionally, even if the plan were viable, I find it would be unduly prejudicial to the Landlord as it would amount to a plan of over 75 months.
12. Therefore, in consideration of the quantum of arrears outstanding, the lack of payments made, and the non-viability of the payment plan, I find a standard order for arrears only is appropriate.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated as of May 9, 2026, the date the Tenant moved out of the rental unit.
2. The Tenant shall pay to the Landlord \$12,277.84. 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 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.

June 19, 2026
Date Issued

Reid Jackson
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	\$14,739.71
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$2,500.00
Less the amount of the interest on the last month's rent deposit	- \$147.87
Total amount owing to the Landlord	\$12,277.84