



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-043540-26

In the matter of: 1B, 1140 WINDSOR AVE
WINDSOR ON N9A1K4

Between: Avneet Malhotra Landlords
Ariff Harjee

And

Beatrice Wambul Tenant

Avneet Malhotra and Ariff Harjee (the 'Landlords') applied for an order to terminate the tenancy and evict Beatrice Wambul (the 'Tenant') because:

- the Tenant did not pay the rent that the Tenant owes (L1 Application); and
- the Tenant has been persistently late in paying the Tenant's rent; (L2 Application).

This application was heard by videoconference on June 18, 2026.

Only the Landlords' Legal Representative Neha Prasad attended the hearing.

As of 1:38 p.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:

L1 Application – Non-Payment of Rent

1. The Landlords 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. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$1,000.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$32.88. This amount is calculated as follows: \$1,000.00 x 12, divided by 365 days.

5. The Tenant has paid \$1,500.00 to the Landlords since the application was filed.
6. The rent arrears owing to June 30, 2026 are \$600.00.
7. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. There is no last month's rent deposit.

L2 Application – Persistent Late Payment of Rent

9. On April 28, 2026, the Landlords gave the Tenant an N8 notice of termination ('N8 Notice'). The N8 Notice alleges that the tenant has persistently paid rent late 4 times out of the past 13 months and that for the remaining months in that same period rent was only partially paid or not paid at all, which amounts to a late payment.
10. Based on the uncontested evidence before me I am satisfied on a balance of probabilities that the Tenant has persistently failed to pay the rent on the date it was due.
11. Since the application was filed the Tenant has failed to pay rent for June.

Relief from Eviction

12. 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.
13. The Landlords' Legal Representative advised the Board that the Landlords were not seeking a termination of tenancy but were seeking a conditional order that the Tenant pay the arrears owing on or before June 30, 2026 and a pay on time order for 24 months, and requested that s. 78 of the Act be attached permitting them to bring an application to terminate the tenancy without further notice to the Tenant, if the Tenant fails to comply with the terms of this order. The Tenant did not attend the hearing to provide submissions regarding their circumstances.
14. Although I find the Landlord's request to be reasonable. The Tenant may not receive the Order until after June 30, 2026, as such the Tenant shall have until July 15, 2026 to repay the arrears owing. In addition the Tenant will have the opportunity to preserve the tenancy under the condition that he pay his rent in full and on time for a period of twenty four months as requested by the Landlords.

It is ordered that:

1. The tenancy between the Landlords and the Tenant shall continue if the Tenant meets the conditions set out below.
2. The Tenant shall pay the Landlords \$786.00 being the arrears of rent owing to June 30, 2026 and the costs the Landlords incurred for filing the application on or before July 15, 2026.

3. The Tenant shall pay the Landlords monthly rent owing on or before the first day of each month commencing August 1, 2026 and continuing thereafter until and including July 1, 2028.
4. If the Tenant fails to comply with the conditions set out in paragraphs 2 or 3 of this Order, the Landlords may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant. The Landlords 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.
5. If the Tenant does not pay the Landlords the full amount owing in paragraph 2 of this Order on or before July 15, 2026, the Tenant will start to owe interest. This will be simple interest calculated from July 16, 2026 at 4.00% annually on the balance outstanding.

June 26, 2026
Date Issued

Sean Ramage
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.