



Order under Section 69
Residential Tenancies Act, 2006

File Number: TNL-31756-21

In the matter of: 1511, 50 GRAYDON HALL DRIVE
TORONTO ON M3A3A5

Between: GH Capital Corporation Landlord

and

Zahara Menbari Tenant

GH Capital Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Zahara Menbari (the 'Tenant') because the Tenant has been persistently late in paying the Tenant's rent. The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on August 19, 2021.

Only Syvanna Gold on behalf of the Landlord attended the hearing. As of 9:37 a.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the Board.

Determinations:

1. Based on the particulars contained in the N8 Notice of Eviction served to the Tenant on February 23, 2021, I find that from March 2020 to February 23, 2021, the Tenant was late paying their rent every month of the 12-month period.
2. The Landlord's Agent advised that the Tenant is paid up to date, including the filing fee, therefore, she was only seeking a conditional pay-on-time order for a one-year period beginning September 1, 2021. The Agent also advised that she had spoken to the Tenant about the pay on time order that would be requested.
3. Having considered the Landlord's Agent's request and all of the disclosed circumstances, in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), I find that it would not be unfair to grant relief from eviction subject to the condition(s) set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act. Although this order is dated past the date the pay on time was to start, the Tenant was aware that she was to start paying on time September 1, 2021.
4. This order contains all the reasons for the decision within it. No further reasons shall be issued.

It is ordered that:

1. The Tenant shall pay the lawful rent to the Landlord in full and on time for the period September 1, 2021 through August 1, 2022.
2. If the Tenant fails to make any payments in accordance with paragraph 1, the Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant, The Landlord must make the application within 30 days of a breach of a condition set out in paragraph 1 of this order.

September 20, 2021
Date Issued



Diane Wade
Member, Landlord and Tenant Board

Toronto North-RO
47 Sheppard Avenue East, Suite 700, 7th Floor
Toronto ON M2N5X5

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