



Order under Section 21.2 of the Statutory Powers Procedure Act and the Residential Tenancies Act, 2006

Citation: 2643692 ONTARIO INC. v RHOOMS, 2025 ONLTB 50200

Date: 2025-07-04

File Number: LTB-L-007439-25-BIR-RV

File Number: LTB-L-040974-25 BIR-RV

In the matter of: 85 DONALD STEWART ROAD
BRAMPTON ON L7A5J3

Between: 2643692 ONTARIO INC.
AJIT GUPTA

Landlord

And

TEANNA RHOOMS
KAREN RHOOMS
TENILLE RHOOMS

Tenants

I hereby certify this is a
true copy of an Order dated

Jul 04, 2025

Landlord and Tenant Board

Review Order

2643692 ONTARIO INC. and AJIT GUPTA (the 'Landlord') applied for an order to terminate the tenancy and evict TEANNA RHOOMS, KAREN RHOOMS and TENILLE RHOOMS (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

The Landlord also filed an L4 application LTB-L-040974-25 on May 20, 2025 and requests an order to terminate the tenancy and evict the Tenants and for an order to have the Tenants pay the rent they owe because the Tenants failed to pay their rent owing on May 15, 2025 and because the Tenants failed to pay \$10,000.00 towards the arrears on or before May 15, 2025.

This Landlord's L1 application was resolved by order LTB-L-007439-25 issued on May 2, 2025.

On May 23, 2025, the Board initiated a review of the May 2, 2025 order and combined the Landlord's L4 application to be heard together and an interim order was issued, staying the May 2, 2025 order.

The review was heard by videoconference on June 25, 2025.

The Landlord's agent Sonia Aggarwal, the Landlord's legal representative Naseer Ahmed and the Tenants attended the hearing.

Tenant Duty Counsel was not available.

Determinations:

Background

1. The Landlord's L1 application was heard by videoconference on April 29, 2025 and resolved in LTB-L-007439-25, issued on May 2, 2025. The order requires the Tenants to pay the Landlord \$35,848.50 in accordance with a payment plan extending between May 15, 2025 and August 15, 2025. The order also requires the Tenants to pay their new rent on time for May 2025 by May 15, 2025 and to also pay new rent on time and in full as it comes due and owing, on or before the 1st day of each month, for the period June 1, 2025, to August 1, 2025.
2. The order further allows the Landlord to apply under section 78 of the *Residential Tenancies Act, 2006* for an order terminating the tenancy and evicting the Tenants should the Tenants fail to comply with the above-referenced provisions.
3. The Landlord filed an L4 application on May 20, 2025, claiming the Tenants breached the May 2, 2025 agreement by failing to make any arrears payments before May 15, 2025. The Landlord seeks to end the tenancy and collect the amount owing by the Tenants.

The Board Initiated Review (BIR)

4. On May 23, 2025, the Board initiated a review of the May 2, 2025 order to determine whether the Board may have seriously erred by ordering payment of an amount in excess of the Board's monetary jurisdiction of \$35,000.00 as a condition of continuing the tenancy.
5. As explained to the parties at the hearing, the Board's maximum monetary jurisdiction is \$35,000.00. The May 2, 2025 consent order provides that the Tenants are required to pay to the Landlord \$35,848.50 and sets out a payment plan. The order also includes a clause under s.78 of the Act which provides that failure to make any of the payments in accordance with the order would result in the balance owing to be paid by the Tenants.
6. As the monetary amounts exceed the maximum monetary jurisdiction, the Board did not have the authority to issue the May 2, 2025 order under the terms agreed upon by the parties. For the May 2, 2025 order to be enforceable, the Landlord would have had to have agreed to waive any amount of arrears in excess of \$35,000.00.
7. Give the above, the BIR is granted, and the matter proceeded to a de novo hearing of the Landlord's L1 application.

The L1 Application

8. The Tenants are in possession of the rental unit.
9. The total amount the Tenants owe the Landlord including costs to June 30, 2025, is \$47,123.50.
10. The Landlord's representative confirmed that they wished to proceed and acknowledged that by doing so, they cannot pursue the balance in another court as per section 207(3) of the *Residential Tenancies Act, 2006*.

11. The parties, on consent agreed to terminate the tenancy on July 19, 2025, and to pay the Landlord \$35,000.00.
12. The parties consented to the following order in full and final satisfaction of all issues in this application. I am satisfied the parties understood the terms. In particular, I was satisfied that the Tenants understood the consequence of agreeing to terminate the tenancy on July 19, 2025. Given the mutual agreement to terminate the tenancy, there is no opportunity to void the order for termination by paying the outstanding arrears.

It is ordered that:

1. The request to review order LTB-L-007439-25 issued on May 2, 2025, is granted.
2. The interim order issued on May 23, 2025, is cancelled.
3. The Landlord's L4 application is dismissed.
4. The order LTB-L-007439-25 issued on May 2, 2025 is cancelled and replaced with the following order.

On consent of the parties, it is ordered that:

5. The tenancy between the Landlord and the Tenants is terminated. The Tenant must move out of the rental unit on or before July 19, 2025.
6. If the unit is not vacated on or before July 19, 2025, then starting July 20, 2025, 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 20, 2025.
8. The Tenants shall pay to the Landlord \$35,000.00 on or before July 19, 2025.
9. If the Tenants do not pay the Landlord the full amount owing on or before July 19, 2025, the Tenants will start to owe interest. This will be simple interest calculated from July 20, 2025, at 4.00% annually on the balance outstanding.
10. The Tenants shall provide the Landlord with 48 hour written notice if they opt to vacate prior to July 19, 2025.
11. Pursuant to the agreement of the parties, this resolves the application before the Board.



July 4, 2025
Date Issued

Dana Wren
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 expires on January 20, 2026, 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.