



Order under Section 69 Residential Tenancies Act, 2006

Citation: WCP Lofts 1 LP DBA 'Foundry Lofts' v Yusuff, 2026 ONLTB 294

Date: 2026-01-06

File Number: LTB-L-092463-25

In the matter of: BUILDING 4, UNIT 204, BEDROOM 2,
3490 SCHMON PKY
THOROLD ON L2V0C4

Between: WCP Lofts 1 LP DBA 'Foundry Lofts' Landlord

And

Azeez Yusuff Tenant

WCP Lofts 1 LP DBA 'Foundry Lofts' (the 'Landlord') applied for an order to terminate the tenancy and evict Azeez Yusuff (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 December 15, 2025. Only the Landlord's Legal Representative, Sarah Murtadha, attended the hearing.

As of 10:00 a.m., the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy in the application. Therefore, the tenancy shall continue subject to conditions.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On October 31, 2025, the Landlord gave the Tenant an N8 notice of termination alleging that the Tenant persistently failed to pay the rent on the date it was due. The rent is due on the 1st day of each month. The rent has been paid late 12 times in the past 12 months for the period between November 2024 and October 2025.

4. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs. The Landlord advises the Tenant paid \$1.00 towards the filing fee.
5. 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. The Landlord seeks a termination date of January 31, 2025 and points to the fact that since the Tenant received the notice, the Tenant failed to pay November's rent on time. However, the Tenant did pay December's rent on time and is not in arrears currently.
6. The tenancy commenced in May 2024. Although the Landlord seeks termination, I find a conditional order that rent is paid on time and in full for 12 months sufficiently addresses the prejudice to the Landlord while allowing the Tenant an opportunity to preserve their tenancy considering there are no rental arrears at this time.

It is ordered that:

1. The tenancy between the Landlord and the Tenant continues if the Tenant meets the conditions set out below.
2. For a period of twelve months commencing February 1, 2026 through January 1, 2027, the Tenant shall pay to the Landlord the lawful monthly rent on time and in full on or before the date it becomes due.
3. If the Tenant fails to comply with the conditions set out in paragraph 2 of this order, 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. This application is made to the LTB without notice to the Tenant.
4. The Tenant shall also pay to the Landlord \$185.00 for the cost of filing the application.
5. The total amount the Tenant must pay the Landlord is \$185.00.
6. If the Tenant does not pay the Landlord the full amount owing on or before January 31, 2026, the Tenant will start to owe interest. This will be simple interest calculated from February 1, 2026 at 4.00% annually on the balance outstanding.

January 6, 2026
Date Issued

Jane Dean
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.