



Order under Section 69 Residential Tenancies Act, 2006

Citation: Zenith Properties Group Ltd. v Brisson, 2026 ONLTB 1372

Date: 2026-01-08

File Number: LTB-L-084877-25

In the matter of: Back House (Unit C), 95 Algonquin Blvd W
Timmins ON P4N2R4

Between: Zenith Properties Group Ltd. Landlord

And

Natalie Brisson Tenant

Zenith Properties Group Ltd. (the 'Landlord') applied for an order to terminate the tenancy and evict Natalie Brisson (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on December 22, 2025.

The Landlord's Legal Representative Amanda Migneault, the Tenant, and the Tenant's Legal Representative Marc Laroche attended the hearing.

Determinations:

1. The Landlord served the Tenant with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice).
2. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The Tenant testified that she has a prompt payment discount agreement with the Landlord, reducing the rent to \$1,000.00 if she pays on or before the first day of each month. As this discount is greater than the 2% permitted under subsection 111(2) of the *Residential Tenancies Act* (2006) (the 'Act'), it is unlawful. The lawful rent is \$1,095.00, regardless of when it is paid. It is due on the 1st day of each month.
4. The Tenant testified that she paid \$1,000 toward the rent each month in cash and provided her bank statements showing consistent withdrawals of \$400, \$400, and \$200. The Landlord's Representative disputed the Tenant's testimony; however, the Landlord was not present to provide testimony to the contrary.
5. Given the consistency of the withdrawals, adding up to \$1,000 each month, and considering the Tenant's direct testimony, I am satisfied, on a balance of probabilities, that

she paid \$1,000 each month toward the rent from November 1, 2024, to December 31, 2025.

6. Therefore, the Landlord's N4 Notice does not accurately set out the amount owing, contrary to subsection 59(2) of the Act, and the application must be dismissed.

It is ordered that:

1. The Landlord's application is dismissed.

January 8, 2026

Date Issued

Kate Sinipostolova

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.