



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-089240-25

In the matter of: 418, 52 Bayswater Pl
Kingston ON K7M2C2

Between: Osgoode Properties Landlord

And

Justine Bunquin Tenants
Rey Darrell Ursais

Osgoode Properties (the 'Landlord') applied for an order to terminate the tenancy and evict Justine Bunquin and Rey Darrell Ursais (the 'Tenants') because:

- the Tenants have been persistently late in paying the Tenants' rent.

The Landlord also claimed compensation for each day the Tenants remained in the unit after the termination date.

This application was heard by videoconference on December 18, 2025.

Only the Landlord's representative Anne Skelly attended the hearing.

As of 9:59am, the Tenants were not present nor 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:

1. The Landlord served a Notice of Termination under section 58 (1) of the Residential Tenancies Act, 2006

58 (1) A landlord may give a tenant notice of termination of their tenancy on any of the following grounds:

- The tenant has persistently failed to pay rent on the date it becomes due and payable.

2. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy and the claim for compensation in the application. However, the tenancy shall continue subject to terms and conditions set out below.
3. The Tenants were in possession of the rental unit on the date the application was filed.
4. The rent is due on the first day of each month and this is yearly tenancy ending on January 31, 2026.
5. On October 22, 2025, the Landlord gave the Tenants an N8 notice of termination which indicated a termination date of January 31, 2026. The notice of termination states that the Tenants have persistently failed to pay rent on the date that it is due.
6. The Landlord's representative submits from February 1, 2025, to October 1, 2025, the Tenants paid rent late 7 times out of 9 months. The Landlord's representative referred to a ledger providing specific payment information and payment dates over this period.
7. I am satisfied based on a balance of probabilities and based on the uncontested evidence of the Landlord, that the Tenants have persistently failed to pay rent the date it was due.
8. The Tenants have paid the application filing fee.

Relief From Eviction

9. 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.
10. The Landlord submits that since service of the N8 notice of termination, the Tenants have paid their rent in full and on time. Since the notice of the termination was given the Tenants have made the following payments with respect to their monthly rent.
 - November 1, 2025, rent paid on October 31, 2025;
 - December 1, 2025, rent paid on November 29, 2025;
11. As noted, the Tenants did not attend the hearing of this matter and thus I did not have the opportunity to hear their evidence regarding their circumstances. At the hearing, the Landlord requested a pay on time order. Given the circumstances, I find this request to be quite reasonable and so that the Landlord's request is granted. I am satisfied that it is likely a pay on time order will correct the payment behaviour of the Tenants.
12. This order contains all of the reasons within it and no further reasons shall be issued.

It is ordered that:

1. The tenancy between the Landlord and the Tenants continues if the Tenants meet the conditions set out below.

2. The Tenants shall pay their lawful monthly rent for January 2026, on or before January 20, 2026.
3. Commencing February 1, 2026, and continuing up to and including January 1, 2027, the Tenants shall pay their lawful monthly rent, in full and on or before the first day of each month.
4. If the Tenants fail to comply with the conditions set out in paragraph 2 and 3 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 Tenants. 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 Tenants.
5. The Tenants have paid to the Landlord the application filing fee.

January 9, 2026
Date Issued

Reshad Nazeer
Member, Landlord and Tenant Board

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