



Order under Section 69 Residential Tenancies Act, 2006

Citation: Boardwalk General Partnership v Gayle, 2026 ONLTB 4573

Date: 2026-01-13

File Number: LTB-L-089434-25

In the matter of: 11, 63 ARDGLEN DR
BRAMPTON ON L6W1V1

Between: Boardwalk General Partnership Landlord

And

Shante Gayle Tenants
Jodi Ann Green

Boardwalk General Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Shante Gayle and Jodi Ann Green (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 January 5, 2026.

The Landlord's Agent and the Tenants attended the hearing.

Determinations:

1. 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. Therefore, an order imposing conditions for the next 12 months shall issue allowing the Tenants to preserve their tenancy.
2. The Tenants were in possession of the rental unit on the date the application was filed.
3. On October 9, 2025, the Landlord gave the Tenants an N8 notice of termination deemed served on the same date. The notice of termination alleged that the Tenants persistently paid the rent late for the previous 6 months and attached a detailed ledger confirming this information.
4. The Tenant submitted that she is now able to work legally as she has obtained a work permit. This will allow her to work full time so that she is able to pay the rent on time. She

further stated that her daughter had become ill previously which caused her to miss work commitments.

5. The Tenant agreed that she struggled with paying the rent on time but now that she can work full time, she will be able to pay the rent in full and on the first day of every month.
6. Based on the Tenant's comments, the Landlord's Agent advised the Board that the Landlord was not seeking a termination of the tenancy but was seeking a pay on time order for 12 months and requested that s. 78 of the *Residential Tenancies Act, 2006* (the 'Act') be attached for enforcement of the payment order.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of 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*.

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 the Landlord monthly rent owing on or before the first day of each month commencing February 1, 2026 and continuing thereafter until and including January 31, 2027.
3. If the Tenants fail to comply with the conditions set out in paragraph 2 of this order, the Landlord may apply under section 78 of 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 Board without notice to the Tenants.
4. The Tenants shall also pay to the Landlord \$186.00 for the cost of filing the application by February 28, 2025.
5. If the Tenants fail to make the payment owing under paragraph 4, and by the date required, the balance owing under paragraph 4 of this order shall become payable on the day following the date of default. The monies owing shall bear interest at the post-judgment interest rate determined under subsection 207(7) of the *Act*.

January 13, 2026
Date Issued

Carrie Bertrand
Member, Landlord and Tenant Board

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