



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

File Number: LTB-L-088847-25

In the matter of: 99 MONTREAL ST
STURGEON FALLS ON P2B 3G9

Between: Melanie Guenette
Eric K Guenette Landlord

and

Rose Payne
Christie Baker Tenants

Melanie Guenette and Eric K Guenette (the 'Landlord') applied for an order to terminate the tenancy and evict Rose Payne and Christie Baker (the 'Tenants') because the Tenant did not pay the rent that the Tenants owe.

This application was heard by videoconference on December 11, 2025. The Landlords and the Tenant, Christie Baker, attended the hearing on her behalf and on behalf of the other Tenant.

Determinations:

Preliminary issues

1. The Landlords stated that there is a separate order, file LTB-L-046131-25, that terminates the tenancy as of February 28, 2026. Therefore, the Landlords are only seeking an order for rent arrears in this application. The Tenants did not object.
2. The Tenant, Christie Baker, testified that she moved out on September 30, 2025 and therefore she should not be held responsible for the rent. She indicated that a text message was delivered to the Landlord on October 7, 2025 informing them that she vacated. The Landlords acknowledge receiving the text message but argue that Christie Baker remains a joint tenant who is jointly and severally liable for the non-payment of rent.
3. I accept that Christie Baker vacated the rental unit and notified the Landlord on October 7, 2025. However, this was a joint tenancy and the parties never agreed to amend the tenancy agreement by removing Christie Baker. The *Residential Tenancies Act, 2006* (Act) does not provide that a tenant can unilaterally end their interest and obligations in an ongoing joint tenancy simply by vacating the rental unit.
4. Subsection 87(1.1) of the Act provides the Board with jurisdiction to order rent arrears against tenants no longer in possession of the rental unit if the application is made no later than one year after the tenant vacated. Since Christie Baker vacated the rental unit sometime on October 7, 2025, and the Landlord filed their application on October 21,

2025, the Board has jurisdiction to issue an order requiring Christie Baker to pay rent arrears, together with the other joint tenant.

5. Normally, a Landlord must file a L10 application against a Tenant who has vacated the rental unit and must also serve the Tenant with the application and a notice of hearing. However, in the circumstances of the case, I find that it is unnecessary to require the Landlord to re-file an L10 application for arrears against Christie Baker. I find that Christie Baker received adequate notice of this hearing, attended the hearing, was provided an opportunity to participate in the proceedings, and gave her evidence. Therefore, it would not be unfair to treat the claims against Christie Baker as an L10 with this L1 application. This is also consistent with section 183 of the Act which directs the Board to adopt the most expeditious method of determining the questions arising in a proceeding that affords all persons directly affected by the proceeding an adequate opportunity to know the issues and be heard on the matter.
6. As of the hearing date, the Tenant Rose Payne was still in possession of the rental unit. Based on the reasons above, Christie Baker is correctly named as a party to the application.

Rental arrears

4. The lawful rent is \$1,300.00. It is due on the 1st day of each month.
5. The Tenant has paid \$1,300.00 to the Landlord since the application was filed. The rent arrears owing to December 31, 2025 are \$1,950.00. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
6. There is no last month's rent deposit.

It is ordered that:

1. The Tenant shall pay to the Landlord \$2,136.00. This amount includes rent arrears owing up to December 31, 2025 and the cost of the application.
2. If the Tenant does not pay the Landlord the full amount owing on or before February 2, 2026, the Tenant will start to owe interest. This will be simple interest calculated from February 3, 2026 at 4.00% annually on the balance outstanding.

January 22, 2026
Date Issued

Adeela Alvez
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.