



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

File Number: LTB-L-100543-25

In the matter of: 404, 2233 EGLINTON AVE E
SCARBOROUGH ON M1K2M9

Between: 736923 Ontario Ltd. Landlord

And

Marcella Boston a.k.a. Bristol Tenant

736923 Ontario Ltd. (the 'Landlord') applied for an order to terminate the tenancy and evict Marcella Boston a.k.a. Bristol (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 January 20, 2026.

The Landlord's legal representatives, Andrew Hyland and Lily McMillan, and the Tenant attended the hearing.

Determinations:

1. The Tenant did not contest that she has persistently failed to pay the rent on the date it was due.
2. The only issue before the LTB was relief from eviction pursuant to section 83 of the *Residential Tenancies Act, 2006* (the 'Act').
3. The Tenant first moved into the rental unit with her daughter in 2011 to join her husband. She became a Tenant in 2012.
4. The Tenant ran into financial difficulties after her husband left several years ago.
5. The Tenant reached out to the property management at the time and made arrangements to pay her rent as she could. The property management at the time was understanding of her situation. The Tenant paid rent late, but she did not fall into arrears.

6. The Tenant's ability to pay rent was further impeded by an injury she sustained in a fall she sustained in 2024, and expenses she incurred in clearing up a pest infestation in January 2025.
7. According to the Tenant, she also encountered issues with the Landlord's rent payment portal. She chose not to enroll in the automatic payment program.
8. The Tenant requested that she be given an opportunity to save her tenancy by apying her rent on time in the future.
9. The Tenant has a new job and sufficient income to pay the rent on time.
10. The Landlord requested termination of the tenancy due the Tenant's longstanding history of late payment of rent.
11. I have considered all of the disclosed circumstances of the Tenant and the Landlord in accordance with subsection 83(2) of the Act, including the length of the tenancy and the Tenant's history of personal challenges, and I find that it would not be unfair to grant relief from eviction subject to the condition(s) set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act.
12. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered that:

1. The tenancy between the Landlord and the Tenant continues if the Tenant meets the conditions set out below.
2. The Tenant shall pay the monthly rent to the Landlord in full and on time as it comes due on or before the 1st day of each and every month, starting February 1, 2026 until and including January 1, 2027.
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 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 pay to the Landlord \$186.00 for the cost of filing the application.
5. If the Tenant does not pay the Landlord the full amount owing on or before February 7, 2026, the Tenant will start to owe interest. This will be simple interest calculated from February 8, 2026 at 4.00% annually on the balance outstanding.

January 27, 2026
Date Issued

Jana Rozehnal
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.