



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-095903-25

In the matter of: 2007, 20 PRINCE ARTHUR AVE
TORONTO ON M5R1B1

Between: Hollyburn Properties Management Services Limited Landlord

And

Colin Fisher Tenant

Hollyburn Properties Management Services Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Colin Fisher (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 7, 2026.

Only the Landlord's representative, Emily Barbati, attended the hearing.

As of 9:43 a.m., the Tenant was not present or 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. As explained below, the Landlord has not proven on a balance of probabilities the grounds for termination of the tenancy. Therefore, the application is dismissed.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On November 13, 2025, the Landlord gave the Tenant an N8 notice of termination with a termination date of January 31, 2026, alleging that the Tenant has persistently paid rent late.
4. However, the notice only alleges late payments for the months of July 2025, October 2025 and November 2025.

5. The Landlord testified that the tenancy commenced in 2019.
6. I do not find three months is sufficient to find that the Tenant persistently failed to pay their rent on the date it became due. As such, I found the N8 notice to be invalid. The application is dismissed as a result.

It is ordered that:

1. The Landlord's application is dismissed.

January 27, 2026

Date Issued

Vinuri Sivalingam

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.