



Order under Section 69 Residential Tenancies Act, 2006

Citation: Hollyburn Properties Limited v Quinn-Smith, 2026 ONLTB 9426

Date: 2026-01-30

File Number: LTB-L-013230-25

In the matter of: 304, 20 PRINCE ARTHUR AVE
TORONTO ON M5R1B1

Between: Hollyburn Properties Limited Landlord

And

Olivia Quinn-Smith Tenants
Sasheeka Crawford

Hollyburn Properties Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Olivia Quinn-Smith and Sasheeka Crawford (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 26, 2026.

Only the Landlord's Legal Representative, Eric Steiman attended the hearing.

As of 11:19 a.m., the Tenants were 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 proven on a balance of probabilities the grounds for termination of the tenancy in the application. Therefore, an order imposing conditions for the next 24 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 January 14, 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 from August of 2024 through January of 2025 and attached a detailed ledger confirming this information.

4. Further, Mr. Steiman submitted that over the last few months, the Tenants have been paying their rent within a couple of days of the date that the rent is due. Based on the improved behaviour of the Tenants, he is seeking a conditional order under section 78 of the *Residential Tenancies Act*, 2006 (hereinafter referred to as the "Act")
5. On the basis of the uncontested evidence before me, I find that the Tenants have persistently failed to pay the rent on the date that it was due.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

Relief from Eviction

7. 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.

It is ordered that:

1. The tenancy between the Landlord and the Tenants continue 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 March 1, 2026 and continuing thereafter until and including February 28, 2028, a 24-month term.
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, 2026.
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 30, 2026
Date Issued

Carrie Bertrand
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.