



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

File Number: LTB-L-095047-25

In the matter of: 218, 1275 DANFORTH RD
SCARBOROUGH ON M1J1E7

Between: TRUELLE COURT APARTMENTS LIMITED Landlord

And

Vivia Foster Tenant

TRUELLE COURT APARTMENTS LIMITED (the 'Landlord') applied for an order to terminate the tenancy and evict Vivia Foster (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 8, 2026.

Only the Landlord's Legal Representative, Matt Anderson, attended the hearing.

As of 12:16 p.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 proven on a balance of probabilities the grounds for termination of the tenancy and the claim for compensation in the application. However, I am satisfied that a conditional order would not be unfair.
2. The Tenant was in possession of the rental unit on the date the application was filed.

N8 Notice of Termination:

3. On October 24, 2025, the Landlord gave the Tenant an N8 notice of termination. The notice of termination alleged that the Tenant had paid rent late 10 times between January 2025 and October 2025.

4. I am satisfied that the Landlord has established on a balance of probabilities that the Tenant has persistently failed to pay the rent on the date it was due. The rent is due on the first day of each month. The rent has been paid late 10 times between January 2025 and October 2025.

Section 83 Considerations:

5. The Landlord requested a pay on time order until December 2026.
6. 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.
7. 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. Commencing March 1, 2026 and continuing until December 1, 2026, the Tenant shall pay to the Landlord the lawful monthly rent on or before the first day of the month.
3. If the Tenant fails to comply with the condition set out in paragraph 2 of this order, the Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (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 6, 2026, the Tenant will start to owe interest. This will be simple interest calculated from February 7, 2026 at 4.00% annually on the balance outstanding.

February 5, 2026

Date Issued

Allana McComb

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.