



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

File Number: LTB-L-090244-25

In the matter of: B, 60 ROSINA LANE
THAMESFORD ON N0M2M0

Between: Thomas K Oommen Landlord

And

Melissa LaFrance Tenant

Thomas K Oommen (the 'Landlord') applied for an order to terminate the tenancy and evict Melissa LaFrance (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 20, 2026.

Only the Landlord attended the hearing.

As of 2:00 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. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the N4 Notice or before the date the application was filed.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Tenant vacated the rental unit on October 31, 2025.

Consumer Proposal:

4. The Tenant submitted their consumer proposal as evidence on the portal on January 13, 2026. The Tenant filed a consumer proposal on January 13, 2026, pursuant to the *Bankruptcy and Insolvency Act*, R.S.C. 1985 (the 'BIA').

5. The Landlord did not seriously dispute that the Tenant had filed a consumer proposal. The arrears in this matter were included in the liabilities of the Tenant under their consumer proposal.
6. Section 69.2 of the BIA provides that upon filing of a proposal, all claims provable in bankruptcy are stayed. The stay of proceedings includes proceedings before the Landlord and Tenant Board.
7. Section 69.2 (1) of the BIA provides that:

69.2 (1) Subject to subsections (2) to (4) and sections 69.4 and 69.5, on the filing of a consumer proposal under subsection 66.13(2) or of an amendment to a consumer proposal under subsection 66.37(1) in respect of a consumer debtor, no creditor has any remedy against the debtor or the debtor's property, or shall commence or continue any action, execution or other proceedings, for the recovery of a claim provable in bankruptcy until

 - (a) the consumer proposal or the amended consumer proposal, as the case may be, has been withdrawn, refused, annulled or deemed annulled; or
 - (b) the administrator has been discharged.
8. Because this application seeks arrears arising from the period before the consumer proposal was filed, it is stayed by the BIA.

It is ordered that:

1. The application is stayed until the earlier of:
 - (a) the restrictions imposed by sections 69.2 and 66.34 of the BIA ceasing to apply; or
 - (b) The Landlord receives an order by the Superior Court permitting the application to proceed.

February 3, 2026
Date Issued

Allana McComb
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.