



Order under Section 69 / 88.2 Residential Tenancies Act, 2006

Citation: Bailey v Iyen, 2026 ONLTB 15213

Date: 2026-02-20

File Number: LTB-L-109059-25

In the matter of: 107 ALVIN PEGG DR
EAST GWILLIMBURY ON L9N0R7

Between: Gregory Bailey Landlord

And

Jane Edoghogho Iyen Tenants
Osazee Michael Iyen
Darlington Osarenoma Iyen

Gregory Bailey (the 'Landlord') applied for an order to terminate the tenancy and evict Jane Edoghogho Iyen, Osazee Michael Iyen and Darlington Osarenoma Iyen (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 February 9, 2026. The Landlord and the Tenants attended the hearing.

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 12 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 and they commenced their tenancy in 2018. The monthly rent is \$1,750.00.
3. On September 30, 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 12/12 months in 2024 and 9/12 months in 2025.

4. The Landlord advised me that after the application had been filed with the Board, he received from the Tenants the following payments: January 2, 2026 - \$1,750.00, January 30, 2026 - \$1,750.00 and January 31, 2026 - \$1,750.00.
5. Both parties seemed agreeable to a conditional order. The Tenants have resided in the rental unit for 8 years and their recent payments demonstrated that they wish to stay current with their rent.
6. The Landlord's main goal is to ensure that his rent is paid on time so that he can relieve some of the financial stress caused by the late payments. A conditional order will allow the Landlord the autonomy to quickly terminate the tenancy if the Tenants do not adhere to the order.

Analysis

7. On the basis of the evidence before me, I find that the Tenants have persistently failed to pay the rent on the date that it was due.
8. Eviction should be ordered as a last resort. Based on the above facts, I am choosing to order a conditional order under section 78 of the *Residential Tenancies Act*, 2006 (hereinafter referred to as the "Act") which will ensure that the Landlord receives their rent in full and on time and the Tenants will be able to preserve their tenancy.
9. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

Relief from Eviction

10. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of 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 continues if the Tenants meet the conditions set out below.
2. The Tenants shall pay the Landlord monthly rent owing (\$1,750.00) in full on or before the 1st day of each month commencing March 1, 2026 and continuing thereafter until and including April 1, 2027.
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 Tenant.
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*.

February 20, 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.