



Order under Section 94.7 Residential Tenancies Act, 2006

File Number: LTB-C-099994-25

In the matter of: 9 WILCOX CREEK PTWAY
SCARBOROUGH ON M1B5K8

Between: Wilcox Creek Co-operative Homes Inc. Co-op

And

February 24, 2026

Niambi Francis Co-op Member

Wilcox Creek Co-operative Homes Inc. (the 'Co-op') applied for an order to end the occupancy of the member unit and evict Niambi Francis (the 'Co-op Member') because the Co-op Member did not pay the regular monthly housing charges that the Co-op Member owes.

A Case Management Hearing was held on February 17, 2026, by videoconference.

The Co-op's Legal Representative, Sarah Murtadha attended for the Co-op.

The Co-op Member informed the Co-op by email that the Co-op Member was unable to attend the Case Management hearing due to work obligations and requested a 6-month payment plan, the Co-op consented to the Member's request.

Determinations:

1. The Co-op served the Co-op Member with a Notice to End Occupancy for Non-payment of Regular Monthly Housing Charges (N4C Notice). The Co-op Member did not void the notice by paying the amount of regular housing charges owing by the termination date in the N4C Notice or before the date the application was filed.
2. As of the hearing date, the Co-op Member was still in possession of the member unit.
3. The regular monthly housing charge is \$1,418.00. It is due on the 1st day of each month.
4. The daily compensation is calculated as follows: \$1,418.00 x 12, divided by 365 days.
5. The Co-op Member has not made any payments since the application was filed.
6. The regular monthly housing charges owing to February 28, 2026, are \$406.00.
7. The Co-op incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

8. I have considered all of the disclosed circumstances in accordance with subsection 94.12(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 94.12(1)(a) and 204(1) of the Act.

It is ordered that:

1. The Co-op Member shall pay to the Co-op \$592.00, which includes \$406.00, for regular monthly housing charges owing up to February 28, 2026, and \$186.00 for the cost of filing the application.
2. The Co-op's application for eviction of the Co-op Member is denied on the condition that:
 - (a) The Co-op Member shall make the following payments to the Co-op in respect of the monies owing under paragraph 1 of this order:

Date Payment Due	Amount of Payment
On or before the last day of each month for 6 months from March 2026 to August 2026	\$98.67

- (b) The Co-op Member shall also pay the Co-op the full regular monthly housing charges on or before the 1st day of each month for the period from March 2026 to August 2026 or until all arrears in paragraph one has been paid, whichever is sooner.
3. CONSEQUENCES OF BREACH: If the Co-op Member fails to make any of the payments in accordance with paragraph 2, and by the dates required, then:
 - a) The Co-op may apply under section 94.11 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Co-op Member, and for the payment of any new arrears of regular monthly housing charges and NSF charges not already ordered under paragraph 1 of this order. The Co-op must make the application within 30 days of a breach of a condition set out in paragraph 2 of this order.
 - b) The balance owing under paragraph 1 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 24, 2026
Date Issued

Roxanne Theriault
Hearings Officer, 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.