



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-000483-26

In the matter of: 2715, 70 Princess St
Toronto ON M5A0X6

Between: Derrick Lai Landlord

And

Dana Pham Tenant

Derrick Lai (the 'Landlord') applied for an order to terminate the tenancy and evict Dana Pham (the 'Tenant') because:

- the Tenant has been persistently late in paying the Tenant's rent.

This application was heard by videoconference on February 11, 2026.

The Landlord's representative Jhessey Santos and the Landlord attended the hearing.

As of 10:06am, the Tenant was not present nor 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. However, the tenancy shall continue subject to terms and conditions set out below.
2. The Landlord served a Notice of Termination under section 58 (1) of the Residential Tenancies Act, 2006

58 (1) A landlord may give a tenant notice of termination of their tenancy on any of the following grounds:

- The tenant has persistently failed to pay rent on the date it becomes due and payable.
3. The Tenant was in possession of the rental unit on the date the application was filed.

4. The rent is due on the first day of each month and this is a month-to-month tenancy.
5. On January 4, 2026, the Landlord gave the Tenant an N8 notice of termination which indicated a termination date of March 31, 2026. The notice of termination states that the Tenant has persistently failed to pay rent on the date that it is due.
6. The Landlord's representative submits from July 1, 2025, to January 1, 2026, the Tenant paid rent late 7 times out of 7 months. The Landlord's representative referred to a ledger providing specific payment information and payment dates over this period.
7. I am satisfied based on a balance of probabilities and based on the uncontested evidence of the Landlord, that the Tenant has persistently failed to pay rent the date it was due.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

Relief From Eviction

9. 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.
10. The Landlord submits that since service of the N8 notice of termination, the Tenant has not made any payments towards their monthly rent. Since the notice of the termination was given the Tenant has made the following payments with respect to their monthly rent.
 - February 1, 2026, no rent paid as of the hearing date.
11. As noted, the Tenant did not attend the hearing of this matter and thus I did not have the opportunity to hear their evidence regarding their circumstances. At the hearing, the Landlord requested a pay on time order. Given the circumstances, I find this request to be quite reasonable and so the Landlord's request is granted. I am satisfied that it is likely a pay on time order will correct the behaviour of the Tenant.
12. This order contains all of the reasons within it and no further reasons shall be issued.

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 April 1, 2026, and continuing up to and including March 1, 2027, the Tenant shall pay their lawful monthly rent, in full and on or before the first day of each month.
3. If the Tenant fails to comply with the conditions 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 also 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 March 14, 2026, the Tenant will start to owe interest. This will be simple interest calculated from March 15, 2026, at 4.00% annually on the balance outstanding.

March 3, 2026
Date Issued

Reshad Nazeer
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.