



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

File Number: LTB-L-104237-25

In the matter of: 1, 40A West street
GODERICH ON N7A2K3

Between: Jaehee Kim Landlord

And

Rosaleigh Baker Tenant

Jaehee Kim (the 'Landlord') applied for an order to terminate the tenancy and evict Rosaleigh Baker (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on March 2, 2026.

The Landlord and the Tenant attended the hearing.

Determinations:

1. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the notice or before the day the application was filed.
2. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$1,750.00. It is due on the 1st day of each month.
4. The rent arrears owing to March 31, 2026 are \$14,000.00.
5. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
6. Accordingly, the total amount the Tenant owes the Landlord is \$14,186.00.
7. 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.

8. The Landlord requested a standard order for the termination of the tenancy.
9. The Tenant submitted that she lost her job in 2025 and had struggled to find new work. She has recently found new employment which commences on March 11, 2026 and submits that she will be able to pay an additional \$700.00/month towards the arrears owing.
10. The Tenant indicated that she wishes to continue the tenancy and that she has two children living in the rental unit with her.
11. The Act is remedial in nature. In *Matthews v. Algoma Timberlakes Corp.*, 2010 ONCA 468 (CanLII), [2010] O.J. No. 2710 (C.A.) (“Matthews”), the Court of Appeal for Ontario ruled, at paragraph 22: “Given the remedial nature of the Act, its provisions must be interpreted liberally to ensure the realization of its objectives.” At paragraph 32, the Court of Appeal concluded: “The purpose of the legislation is to provide protection to tenants.”
12. The Court of Appeal for Ontario’s reasons in *Matthews* are consistent with earlier decisions by the Court, and by the Divisional Court, that the purpose of Act is to promote security of tenure.
13. Therefore, terminating a tenancy and evicting a tenant from a rental unit is a remedy of last resort.
14. Here, I believe a conditional order for the payment of ongoing rent and the arrears is reasonable, given that that the Tenant’s employment situation has recently improved and that the Tenant and her family will be far more prejudiced by an eviction than the Landlord.

It is ordered that:

1. The Tenant shall pay to the Landlord \$14,186.00 for arrears of rent up to March 31, 2026 and costs.
2. The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:

Payment Due Date	Payment Amount
On or before the 20 th day of the month, for the period March 20, 2026 – October 20, 2027	\$700.00
On or before November 20, 2027	\$186.00

3. The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period April 1, 2026 to November 1, 2027, or until the arrears are paid in full, whichever date is earliest.

4. If the Tenant fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after March 31, 2026.

March 12, 2026

Date Issued

Curtis Smith

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.