



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-099515-25

In the matter of: 306, 40 POLONIA AVE
BRAMPTON ON L6Y 5W8

Between: Jasinski Legacy Non-Profit Residences Inc Landlord

and

Annette Dugas Tenant

Jasinski Legacy Non-Profit Residences Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Annette Dugas (the 'Tenant') because the Tenant has been persistently late in paying the Tenant's rent.

This application was heard by videoconference on February 6, 2026.

The Landlords' representative, Nicole Ruby, and the Tenant attended the hearing.

Determinations:

1. The Tenant was in possession of the rental unit on the date the application was filed.
2. This is a month to month tenancy, and the rent is due on the 1st day of each month.
3. On November 21, 2025, the Landlord gave the Tenant an N8 notice with a termination date of January 31, 2026. The notice alleges that the Tenant was short with her rent payments from January 2025 to November 2025.
4. During the hearing, the Landlord's representative referred to an "Appendix A", which provides a detailed breakdown of the payments made by the Tenant. The appendix establishes that the Tenant paid rent late 11 times since January 2025 to November 2025. The appendix also provides that rent for December 2025, January 2026, and February 2026 was paid on time.
5. The Landlord's representative indicated that the Tenant has paid her rent of \$338.00 on time since December 2025, further that the Tenant has voided the Landlord's N4 notices.
6. During cross examination, the Tenant acknowledged that her rent is due on the 1st day of each month. The Tenant provided several explanations for the late payments. The Tenant testified that she had requested a rent payment summary from the Landlord and did not receive it, she further testified that a portion of her rent is paid through ODSP, and they are

unable to deliver the rent earlier. The Tenant stated that her PSW assists her with managing her bank account and has arranged automatic withdrawals to pay the rent. The Tenant states that she has disabilities, and she relies on her PSW to assist her.

7. Based on the evidence before me, the Tenant paid rent late 11 times, every month since January 2025 to November 2025, and the pattern of payments only improved after the Landlord served the N8 notice. Therefore, I find on a balance of probabilities, that the Tenant has persistently failed to pay rent on 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. Based on the submissions before me, 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's representative requested for a conditional order requiring the Tenant to pay the rent on time for 6 months. The representative also requested that the Tenant be ordered to pay the Landlord's \$186.00 filing fee in 3 equal monthly installments.
11. The Tenant objected to the Landlord's request for a conditional order and to the \$186.00 filing fee, stating that she is on a fixed income and requested that the Landlord's application to be dismissed.
12. Although the Tenant did not agree with the Landlord's requested order, the Tenant sought relief from eviction, and a conditional order such as the one requested by the Landlord is a form of relief that allows the tenancy to continue provided that the Tenant complies with the conditions of the order.

It is ordered that:

1. The tenancy between the Landlord and the Tenant continues if the Tenant pays to the Landlord the full lawful rent owing on or before the first day of each month, commencing April 1, 2026 and continuing thereafter for six months (6), up to and including September 30, 2026.
2. If the Tenant fails to comply with the conditions set out in paragraph 1 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 Board without notice to the Tenant.
3. The Tenant shall also pay to the Landlord \$186.00 for the cost of filing the application in accordance with the following schedule:
 - \$62.00 by April 1, 2026;
 - \$62.00 on or before May 1, 2026; and

- \$62.00 by June 1, 2026.
4. If the Tenant does not pay the Landlord the full amount owing on or before June 1, 2026, the Tenant will start to owe interest. This will be simple interest calculated from June 2, 2026 at 4.00% annually on the balance outstanding.

March 11, 2026

Date Issued

Adeela Alvez

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.