



Order under Section 94.7 Residential Tenancies Act, 2006

File Number: LTB-C-008253-26

In the matter of: 64C, 255 DOLLY VARDEN BLVD
SCARBOROUGH ON M1H 2K8

Between: Woburn Village Co-operative Homes Co-op

and

D'andre Dixon James Co-op Member

Woburn Village Co-operative Homes (the 'Co-op') applied for an order to end the occupancy of the member unit and evict D'andre Dixon James (the 'Co-op Member') because the Co-op Member was persistently late in paying the regular monthly housing charges that the Co-op Member owes.

A Case Management Hearing was scheduled for March 12, 2026 at 11am via videoconference.

Only Legal Representative Victoria Hopkins attended for the Co-op.

As of 11:20am, the Co-op Member was not present or 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. The Co-op Member did not file a Response to the Co-op's application.

The Co-op Representative indicated that the Member has been seen at the complex, staff spoke to the Member about today's hearing and also sent to the Member the Notice of Hearing and the Co-op's evidence via email. The Co-op is unaware of any reason for the Member not to attend today's Case Management Hearing.

The Co-op Member had still not joined the Case Management Hearing by 11:31am. As a result, the hearing proceeded with only the Co-op's evidence.

Determinations:

- 1) The Co-op Member is still in possession of the member unit.

- 2) The Co-op Representative indicates that the current regular monthly housing charge was reduced to \$1,221.00 in October 2025 (even though Co-op's C2 application indicates it's \$0.00) and that it is due on the 1st day of each month.
- 3) The Co-op Member did not file a response to the application. Therefore, they are deemed to have accepted all the facts and allegations in the application pursuant to Rule 12.5 of the LTB's Rules of Procedure.
- 4) On January 12, 2026, the Co-op mailed to the Co-op Member an N8C Notice of Termination deemed served on January 17, 2026. The notice of termination contains the following allegations: the Member has persistently paid the regular monthly housing charge late, specifically, 13 late payments in the last 13 months.
- 5) The Co-op incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
- 6) Based on the Co-op's uncontested evidence, I find that the Co-op Member has persistently paid the regular monthly housing charge late.
- 7) The Co-op requested a Standard Voidable Order, but also stated that this is the first LTB application for this Tenant, other than the related C1/N4 for the same behaviours – late/non-payment of rent. The Tenant voided that application by paying the arrears.
- 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's occupancy continues if the Co-op Member meets the conditions set out below.
2. The Co-op Member shall pay to the Co-op the regular monthly housing charges in full and on time for the 12 month period from April 1, 2026 to March 1, 2027.
3. If the Co-op Member fails to comply with the conditions set out in paragraph 2 of this order, the Co-op may apply under section 94.11 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the occupancy and evicting the Co-op Member. The Co-op must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Co-op Member.
4. The Co-op Member shall pay to the Co-op \$186.00 for the cost of filing the application on or before March 31, 2026.

5. If the Co-op Member fails to make the payment in paragraph 4 of this order, the Co-op Member shall start to owe 4% simple interest on the outstanding balance starting April 1, 2026.
6. This order is in full and final settlement of this application.

March 17, 2026
Date Issued

Denise Hannivan
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.