



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-000777-26

In the matter of: 1010, 120 Old Kingston Rd
Ajax ON L1T3Z2

Between: Unity Village Local 183 Landlord

And

Raimi Bolanle Tenant

Unity Village Local 183 (the 'Landlord') applied for an order to terminate the tenancy and evict Raimi Bolanle (the 'Tenant') because:

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

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

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

The Landlord's representative Nicole Ruby, and the Landlord's agents Headley Williams and Kathy Andreopoulos attended the hearing.

As of 11:54am, the Tenant 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. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. As explained below, the Landlord has not proven on a balance of probabilities the grounds for termination of the tenancy and the claim for compensation in the application. Therefore, the application is dismissed. The Landlord failed to prove their case that the Tenant was persistently late in paying the rent.
2. The Landlord served the notice of termination on December 15, 2025, with a termination date of February 28, 2026. The N8 notice of termination identifies the Tenant paid the rent late as follows:
 - September 1, 2025, rent paid on September 25, 2025;

- October 1, 2025, rent paid on October 21, 2025;
 - November 1, 2025, rent paid on time;
 - December 1, 2025, no rent paid as of December 15, 2025.
3. The Landlord's position is that the Tenant has been persistently late in paying their rent starting September 1, 2025.
 4. In order for the Landlord to be successful on this application, the evidence must demonstrate that the Tenant paid the rent late and in accordance with the dates set out in the notice of termination. Although the Act does not define the term 'persistent', the Board typically has interpreted as more than 50% late in a 12-month period.
 5. In this instance the Landlord has established only 3 late rental payments in the past 4 months. The evidence of the payments listed on the N8 notice did not meet the onus required to terminate the tenancy.
 6. As the notice of termination has not established that the Tenant has been persistently late in paying their rent, I find that the application must be dismissed.
 7. This order contains all the reasons within in and no further reasons shall be issued.

It is ordered that:

1. The Landlord's application is dismissed.

March 26, 2026
Date Issued

Reshad Nazeer
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.