



**Order under Section 94.7
Residential Tenancies Act, 2006**

File Number: LTB-C-012994-26

In the matter of: 66, 10 EMPRINGHAM DR
SCARBOROUGH ON M1B3Y3

Between: Rainbow Circle Co-operative Inc. Co-op

And

Christal Dumas Co-op Member

Rainbow Circle Co-operative Inc. (the 'Co-op') applied for an order to end the occupancy of the member unit and evict Christal Dumas (the 'Co-op Member') because the Co-op Member has been persistently late in paying the Co-op Member's regular monthly housing charges.

The Co-op also claimed compensation for each day the Co-op Member remained in the unit after the termination date.

A Case Management Hearing was held on March 25, 2026, by videoconference.

Only the Co-op's agents, Ellen Armstrong, Judy Ayres and the Co-op's legal representative, Hunter Stone, attended for the Co-op.

As of 2:20 PM, 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. As a result, the hearing proceeded with only the Co-op's evidence.

It is determined that:

1. 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.
2. As of the hearing date, the Co-op Member was still in possession of the member unit.

3. On December 23, 2025, the Co-op gave the Co-op Member an N8C notice of termination deemed served on December 23, 2025. The notice of termination contains the following allegations: In 2025, the Co-op Member paid the regular monthly housing charges late in October and November 2025. In December 2025, the Co-op Member did not pay their regular monthly housing charges.
4. The regular monthly housing charges is \$1,585.00. It is due on the 1st day of each month.
5. Based on the regular monthly housing charges, the daily compensation is \$52.11. This amount is calculated as follows: \$1,585.00 x 12 months, divided by 365 days.
6. The Co-op incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. The Co-op submitted a ledger covering the period September 2025 to March 2026. The Co-op Member persistently failed to pay the regular monthly housing charges on the date they were due. The regular monthly housing charges are due on the 1st day of each month. The regular monthly housing charges have been paid late 7 times in the past 7 months.
8. The Co-op requested an eviction order and stated that sometime in year 2023, the Co-op Member had previously been subject to a conditional order of the Board requiring timely payment of regular monthly housing charges. The Co-op confirmed that the Co-op Member complied with the Order of the Board, but they have resumed a pattern of late payment.
9. The Co-op also stated that there is an existing standard voidable eviction order of the Board arising from a separate application for arrears of regular monthly housing charges.
10. Based on the Co-op's uncontested evidence, I find that the Co-op Member has persistently paid the regular monthly housing charges late.
11. I note that the Co-op Member was able to comply with a prior conditional order for a period of time, which indicates some ability to meet the obligation to pay rent on time.
12. I am not satisfied that immediate eviction is warranted. The Co-op is entitled to a timely payment of the regular monthly housing charge and the Co-op Member's repeated pattern of late payment must be addressed.
13. Balancing these considerations, I find that it would be unfair to grant eviction at this time. I am satisfied that strict conditions are required to ensure that the Co-op Member complies with the payment of regular monthly housing charges.
14. 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 condition set out below.
2. The Co-op Member shall pay to the Co-op the regular monthly housing charges on time and in full for a 12-month period commencing 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. On or before April 30, 2026, the Co-op Member shall pay to the Co-op \$186.00 for the cost of filing the application.
5. If the Co-op Member fails to make the payment in paragraph 4 of this order, the Co-op Member will start to owe interest. This will be simple interest calculated from May 1, 2026, at 4% annually on the balance outstanding.

March 31, 2026

Date Issued

Oluwatobi Abobarin

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.