



Order under Section 69 Residential Tenancies Act, 2006

Citation: Jama Property Management v Hoerner, 2026 ONLTB 27719

Date: 2026-04-10

File Number: LTB-L-006169-26

In the matter of: 06, 91 HIGH ST
LONDON ON N6C4J8

Between: Jama Property Management

Landlord

And

Bonny Hoerner
David Kenny

Tenants

Jama Property Management (the 'Landlord') applied for an order to terminate the tenancy and evict Bonny Hoerner and David Kenny (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on March 30, 2026.

Only the Landlord's Agent, Rob Light attended the hearing.

As of 10:34 a.m., the Tenants were 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. The Landlord served the Tenants with a valid Notice to End Tenancy Early for Non-payment of Rent (N4). The Tenants 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 Tenants were still in possession of the rental unit.
3. The lawful rent is \$1,373.04. It is due on the 1st day of each month.
4. The Tenants have paid \$2,846.08 to the Landlord since the application was filed.

5. The rent arrears owing to March 31, 2026 are \$1,908.90.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. Accordingly, the total amount the Tenants owe the Landlord \$2,094.90.
8. 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.
9. The Landlord's Agent advised me that he had recently negotiated a payment arrangement with the Tenants which would eliminate the rental arrears and ensure that the full rent is paid in full and on time.
10. Despite the fact that the Tenants were not in attendance at the hearing, the Landlord's Agent is seeking the following payment order to be set out as a section 78 agreement.
11. The agreement includes that the Tenants shall pay \$150.00 each month to the Landlord (to pay the rental arrears) commencing April 1, 2026 and each month thereafter with the last \$150.00 payment to be made on April 1, 2027. The final payment of \$144.90 shall be paid by the Tenants on May 1, 2027 which will address the rental arrears of \$2,094.90 calculated as of the hearing date. For clarity, the Tenants shall make 13 payments of \$150.00 to the Landlord and one payment of \$144.90 to the Landlord.
12. The Tenants shall also pay the full rent on the first of each month for the period commencing April 1, 2026 through May 1, 2027 which is a 14-month period.

It is ordered that:

1. The Tenants shall pay to the Landlord \$2,094.90 for arrears of rent up to March 31, 2026 which includes the application fee of \$186.00.
2. The Tenants shall pay the sum of \$150.00 to the Landlord on the first of each month commencing April 1, 2026 and each month thereafter with the last \$150.00 payment to be made on April 1, 2027. The final payment of \$144.90 shall be paid by the Tenants on May 1, 2027 which will pay off the rental arrears of \$2,094.90.
3. The Tenants 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 May 1, 2027 or until the arrears are paid in full, whichever date is earliest.
4. If the Tenants fail 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 Tenants to the Landlord pursuant to paragraphs 1 - 3 of this order shall become

immediately due and owing. The Landlord may, without notice to the Tenants, apply to the LTB within 30 days of the Tenants' breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenants. The Landlord may also require that the Tenants pay any new arrears, NSF fees and related charges that became owing after March 31, 2026.

April 10, 2026
Date Issued

Carrie Bertrand
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.