



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-012661-26

In the matter of: 411, 1225 YORK MILLS RD
Toronto ON M3A0A6

Between: One225 York Mills Apartments Limited Landlord

And

Manningham Bellamy Tenant

One225 York Mills Apartments Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Manningham Bellamy (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 April 8, 2026.

Only the Landlord's legal representative, Faith McGregor, attended the hearing.

As of **10:22am**, 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. At the hearing, the Landlord requested to withdraw their claim for daily compensation, and I consented to their request.
2. The Tenant was in possession of the rental unit on the date the application was filed, and the Tenant remained in possession of the rental unit as of the hearing date.
3. On February 5, 2026, the Landlord gave the Tenant an N8 notice of termination. The termination date in the notice is April 30, 2026. The notice of termination alleges that the Tenant has been persistently late in paying their monthly rent for a total of twelve times over the previous twelve consecutive months between March 2025 to February of 2026.
4. I am satisfied, based on the uncontested evidence of the Landlord, that the Tenant has persistently failed to pay the rent on the date it was due. The rent is due on the 1st day of

each month. The rent has been paid late 12 times in the past 12 months. This included a partial payment in rent for January of 2026 and non-payment of rent for February of 2026.

5. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
6. 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 pursuant to subsection 83(1)(a) of the Act.
7. The Tenant did not attend the hearing to make submissions regarding their unique circumstances to consider any discretionary relief from eviction.
8. After the N8 notice was given to the Tenant, the Tenant paid the January rent in full by March 23, 2026. The Tenant then paid the rent for February of 2026 on March 31, 2026. As of the hearing date the March rent remains partially outstanding, and the April rent has not been paid either. Under all of the disclosed circumstances I find that granting any conditional relief from eviction would be prejudicial to the Landlord.

It is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before April 30, 2026.
2. If the unit is not vacated on or before April 30, 2026, then starting May 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
3. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord on or after May 1, 2026.
4. The Tenant shall also pay to the Landlord \$186.00 for the cost of filing the application.
5. If the Tenant does not pay the Landlord the full amount owing on or before April 30, 2026, the Tenant will start to owe interest. This will be simple interest calculated from May 1, 2026 at 4.00% annually on the balance outstanding.

April 13, 2026

Date Issued

Terri van Huisstede

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.

In accordance with section 81 of the Act, the part of this order relating to the eviction of the Tenant expires on November 1, 2026 if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.