



Order under Section 69 Residential Tenancies Act, 2006

Citation: 2842968 ONTARIO INC. v SAMUEL, 2026 ONLTB 29359

Date: 2026-04-16

File Number: LTB-L-013747-26

In the matter of: 2, 2550 KEELE STREET
TORONTO ON M6L2N8

Between: 2842968 ONTARIO INC.

Landlord

And

JOYCE SAMUEL

Tenant

2842968 ONTARIO INC. (the 'Landlord') applied for an order to terminate the tenancy and evict JOYCE SAMUEL (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on April 7, 2026.

The Landlord's agent Shirley Hunt, the Landlord's representative Emily Barbaty, and the Tenant attended the hearing.

Determinations:

1. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4). The Tenant 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 Tenant was still in possession of the rental unit.
3. The lawful rent is \$1,066.85. It is due on the 1st day of each month.
4. After the application was filed the Tenant paid \$1,976.57 in March 2026.
5. The parties agree that the Tenant also made a payment of \$1,066.85 in April 2026. However, the Landlord submits that due to the long weekend the payment is still being processed and has not actually been received by the Landlord yet. As such the April 2026 payment will not be factored into this order. However,

once the payment is received by the Landlord, the Landlord must apply it to the amounts owing in this order.

6. The rent arrears owing to April 30, 2026 are \$3,357.68.
7. The Landlord incurred costs of \$201.00 for filing the application and is entitled to reimbursement of those costs.
8. Accordingly, the total amount the Tenant owes the Landlord is \$3,558.68.
9. We 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.
10. The Tenant has adult children living with her who would also be impacted by an eviction.
11. The Tenant's proposal to pay \$500.00 a month is not unfair to the Landlord. Doing so will result in the arrears being paid off in 8 months which is a reasonable timeline. If the Tenant's April 2026 payment goes through, it may result in the arrears being paid off even earlier.
12. We are satisfied that the Tenant will abide by the proposed payment plan. The Tenant testified that she makes over \$5,000.00 a month. The Tenant has the income to support the payment plan. The Tenant made a large payment in March and has a pending payment for April 2026. Those payments demonstrate her good faith willingness to pay the arrears.

Tenant Issues

13. Section 82 of the *Residential Tenancies Act, 2006* ('the Act') and Rule 19.4 and 19.5 of the Board's Rules of Procedure establishes that a tenant who wishes to raise a tenant issue at a rent arrears hearing must provide a written description of the issue to both the Landlord and the Board at least 7 days before the hearing.
14. There is no list of issues filed by the Tenant prior to the hearing date in the Tribunal's Ontario Portal ('TOP') for this file. The Tenant claimed during the hearing that she had filed a list of issues. The matter was held down to give the Tenant an opportunity to provide a copy of the email she says she sent to the Board with her list of issues. The Tenant produced two emails that both show that she filed her list of issues on the hearing date, not 7 days in advance. The Tenant stated that she misunderstood the instructions and that she did have an email showing she filed the issues 7 days in advance of the hearing. The Tenant was given another couple of minutes to send in that email, but she stated that the email would not send.
15. As the Tenant could not prove during the hearing that she filed her list of issues 7 days in advance her tenant issues were not heard. The Tenant also did not

provide a satisfactory explanation for failing to comply with the disclosure requirements. Nothing in this order prevents the Tenant from filing her own tenant application to get remedies for her tenant issues.

16. After the hearing concluded the Tenant sent in post hearing submissions. As post hearing submissions were not invited, they will not be considered.

It is ordered that:

1. The Tenant shall pay to the Landlord \$3,558.68 for arrears of rent up to April 30, 2026 and costs.
2. The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:
 1. On or before May 15, 2026 a payment of \$500.00.
 2. On or before June 15, 2026 a payment of \$500.00.
 3. On or before July 15, 2026 a payment of \$500.00.
 4. On or before August 15, 2026 a payment of \$500.00.
 5. On or before September 15, 2026 a payment of \$500.00.
 6. On or before October 15, 2026 a payment of \$500.00.
 7. On or before November 15, 2026 a payment of \$500.00.
 8. On or before December 15, 2026 a final payment of \$58.68.
3. The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period May 1, 2026 to December 31, 2026, or until the arrears are paid in full, whichever date is earliest.
4. If the Tenant fails 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 Tenant to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after April 30, 2026.

April 16, 2026
Date Issued

Amanda Kovats
Member, Landlord and Tenant Board

Heather Woodside

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.