



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-003975-26

In the matter of: 108 PROVINCE ST N
HAMILTON ON L8H4H6

Between: HAMILTON EAST KIWANIS NP HOMES Landlord
INC.

And

LAURA HOWARD Tenant

HAMILTON EAST KIWANIS NP HOMES INC. (the 'Landlord') applied for an order to terminate the tenancy and evict LAURA HOWARD (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on March 24, 2026.

Only the Landlord's Agent, Lindsay Hauser, attended the hearing.

As of 9:37 a.m., 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.

The Landlord's Agent submitted that the parties have come to a payment plan on consent, and the Tenant was not in attendance due to having work commitments.

Determinations:

1. The Landlord served the Tenant with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the N4 Notice or before the date 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 \$899.00. It is due on the 1st day of each month.

4. Based on the Monthly rent, the daily rent/compensation is \$29.56. This amount is calculated as follows: \$899.00 x 12, divided by 365 days.
5. The Tenant has paid \$2,698.00 to the Landlord since the application was filed.
6. The rent arrears owing to March 31, 2026 are \$898.00.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. Unfortunately, the Tenant was not in attendance at this time and so I was unable to verify their understanding of the terms of the consent at that time, and I am unable to issue this as a consent order. However, the terms are a consideration pursuant to s. 83 of the Act and proceeding in the usual course could have resulted in a voidable termination.
9. I have considered all of the disclosed circumstances in accordance with subsection 83 of the Residential Tenancies Act, 2006 (the 'Act'), and find that it would not be unfair to grant relief from eviction subject to the condition(s) set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act. These conditions reflect what the Landlord's Agent represented both parties consented to outside of the hearing room and are of benefit to both parties.

It is ordered that:

1. The Tenant shall pay to the Landlord \$1,084.00 for arrears of rent up to March 31, 2026, and costs.
2. The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:
 - a) \$200.00 monthly payments on or before the 20th day of each month commencing April 20, 2026 until August 20, 2026 and;
 - b) \$84.00 on or before the September 20, 2026.
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 April 1, 2026, to September 1, 2026, or until the arrears are paid in full, whichever date is earliest.
4. The Tenant shall pay the rent for April 2026 on or before April 30, 2026, if they have not already done so.
5. 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 March 31, 2026.

April 15, 2026
Date Issued

Samantha Greaves
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.