



## Order under Section 78(6) Residential Tenancies Act, 2006

File Number: LTB-L-039711-26

In the matter of: Unit 4, 45 DUNDAS ST E  
NAPANEE ON K7R1H7

Between: 1000040834 Ontario Ltd. Landlord

And

Deborah Lynn Wilton Tenant

1000040834 Ontario Ltd. (the 'Landlord') applied for an order to terminate the tenancy and evict Deborah Lynn Wilton (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the order issued by the LTB on with respect to application LTB-L-097392-25.

This application was decided without a hearing being held.

### Determinations:

1. The order provides that the Landlord can apply to the LTB under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenant to terminate the tenancy and evict the Tenant if the Tenant does not meet certain condition(s) in the order. This application was filed within 30 days of the breach.
2. The Landlord alleges that the Tenant failed to pay \$786.00 on or before April 28, 2026, which was a condition under the order LTB-L-097392-25. The Landlord's declaration states that the arrears payment was due on or before April 28, 2026. However, the Landlord also provided evidence that the Tenant paid the full arrears amount of \$786.00 on April 29, 2026, at 12:28 a.m.
3. Subsection 78(6) of the Act states:  
  
If the Board finds that the landlord is entitled to an order under subsection (1), the Board **may [emphasis mine]** make an order terminating the tenancy and evicting the tenant.
4. I am exercising my authority under subsection 78(6) of the Act and denying the Landlord's request for termination of the tenancy and for an order for the payment of any arrears owing. This is because the evidence establishes that the Tenant paid the full arrears amount approximately 28 minutes after the payment deadline. The payment satisfied the remaining arrears and costs owing under the payment plan to April 30, 2026. In the circumstances, I find the delay to be minimal and not sufficiently significant to justify

termination of the tenancy, particularly where there is little prejudice to the Landlord.  
Therefore, the Landlord's application shall be dismissed.

**It is ordered that:**

1. The Landlord's application.

**May 11, 2026**  
**Date Issued**

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Joshua Labbe  
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.