



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-018284-26

In the matter of: 0515, 11 CATFORD RD
NORTH YORK ON M3J1P9

Between: N.H.D. Developments Limited Landlord

And

Jamilla Fraser Tenant

N.H.D. Developments Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Jamilla Fraser (the 'Tenant') because:

- the Tenant did not pay the rent that the Tenant owes (L1 Application); and
- the Tenant has been persistently late in paying the Tenant's rent; (L2 Application).

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 May 11, 2026 at 09:00 am.

Only the Landlord Representative Nicole Ruby attended the hearing.

As of 09:30 am, 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:

L1 Application – Non-Payment of Rent

1. The Landlord advised the LTB that prior to the hearing the Tenant paid all the rent that was in arrears and all additional rent that would have been due under the tenancy agreement for the period ending May 31, 2026, and the filing fee.

L2 Application – Persistent Late Payment of Rent

2. Based on the Landlord Representative uncontested submissions, 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 10 times in the past 12 months as supported by the ledger entered in evidence.

3. It was also the Landlord Representatives submission that they were not seeking termination of the tenancy but rather an order for prompt payment.

Relief from Eviction

4. 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.

It is ordered that:

1. The Landlord's application for an order terminating the tenancy and evicting the Tenant based upon arrears of rent is discontinued
2. Commencing June 1, 2026 and for a period of no less than 12 months the Tenant shall pay the rent in full and on time when it comes due.
3. 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 May 31, 2026.

May 19, 2026
Date Issued

Kelly Delaney
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.