



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

File Number: LTB-L-022599-26

In the matter of: 28 PITT ST
CHATHAM ON N7L3C4

Between: Chatham Hope Nonprofit Housing Landlord

And

Krista Nissen Smith Tenant

Chatham Hope Nonprofit Housing (the 'Landlord') applied for an order to terminate the tenancy and evict Krista Nissen Smith (the 'Tenant') because:

- the Tenant has been persistently late in paying the Tenant's rent.

This application was heard by videoconference on May 26, 2026.

Only the Landlord's Representative, Cameron Parrott, attended the hearing.

As of 9:40 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.

Determinations:

1. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy in the application. Therefore, the tenancy shall be terminated pursuant to the terms of this order.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On February 28, 2026, the Landlord gave the Tenant an N8 notice of termination by mail, deemed served March 5, 2026. The notice of termination contained a termination date of May 31, 2026. The notice of termination contains the following allegations: the Tenant has been persistently late in paying the Tenant's rent for the period of January 1, 2025, through to February 1, 2026.

4. Based on the information provided in the N8 notice of termination, the Tenant paid the rent late for every month from January 1, 2025, through to December 31, 2025. The Tenant's rent was not paid for the months of January and February 2026, at the time of the N8 notice being served on the Tenant. Accordingly, I find that the Tenant has persistently failed to pay the rent on the date it was due. The rent is due on the first day of each month. The rent has been paid late 14 times in the past 14 months leading to the issuance of the N8 notice of termination.
5. Since the Landlord has filed this application, the Tenant has made one rental payment on May 21, 2026, in the amount of \$400.00.00 Therefore, the Tenant has failed to pay the rent as it came due for the months of April and May 2026, after filing of the Landlord's application. The Tenant has made no payments towards April 2026.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. There is no last month's rent deposit.
8. The Landlord was unaware of any circumstances that may require the Board to consider delaying or denying termination of the tenancy and sought the issuance of a standard order.
9. 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 be unfair to grant relief from eviction pursuant to subsection 83(1) of the Act.

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 June 9, 2026.
2. If the unit is not vacated on or before June 9, 2026, then starting June 10, 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 June 10, 2026.
4. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
5. The total amount the Tenant must pay the Landlord is \$186.00.
6. If the Tenant does not pay the Landlord the full amount owing on or before June 9, 2026, the Tenant will start to owe interest. This will be simple interest calculated from June 10, 2026, at 4.00% annually on the balance outstanding.

May 29, 2026
Date Issued

Ilan Shingait
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 December 10, 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.