



**Order under Section 94.7
Residential Tenancies Act, 2006**

File Number: LTB-C-027065-26

In the matter of: 16 DEVONSHIRE AVE
TILLSONBURG ON N4G4K8

Between: Adam Oliver Housing Co-operative Inc. Co-op

And

Samantha Smith Co-op Member

Adam Oliver Housing Co-operative Inc. (the 'Co-op') applied for an order to end the occupancy of the member unit and evict Samantha Smith (the 'Co-op Member') because:

- the Co-op Member has been persistently late in paying the Co-op Member's regular monthly housing charges.

A Case Management Hearing was held on May 7, 2026. This application was heard by videoconference on May 7, 2026.

The Co-op's Legal Representative, Robert Rose, attended for the Co-op. The Co-op Member also attended the hearing.

It is determined that:

1. The Co-op Member did not file a response to the application. Therefore, they are deemed to have accepted all the facts and allegations in the application pursuant to Rule 12.5 of the LTB's Rules of Procedure.
2. As of the hearing date, the Co-op Member was still in possession of the member unit.
3. The regular monthly housing charges are due on the first day of each month.
4. The Co-op Member has persistently failed to pay the regular monthly housing charges on the date they were due.
5. I am not satisfied that immediate eviction is warranted. The Co-op is entitled to a timely payment of the regular monthly housing charge and the Co-op Member's repeated pattern of late payment must be addressed.

6. I have considered all of the disclosed circumstances in accordance with subsection 94.12(2) of the Residential Tenancies Act, 2006 (the 'Act'), and find that it would be not unfair to grant relief from eviction pursuant to subsection 94.12(1)(a) of the Act. I am not satisfied that immediate eviction is warranted. The Co-op is entitled to a timely payment of the regular monthly housing charge and the Co-op Member's repeated pattern of late payment must be addressed.

It is ordered that:

1. The Co-Op Member's occupancy continues if the Co-op Member meets the conditions set out below.
2. The Co-op Member shall pay the Co-op the regular monthly housing charges due on or before the first day of the month for the period June 1, 2026, up to and including May 1, 2027.
3. If the Co-op Member fails to comply with the conditions set out in paragraph 2 of this order, the Co-op may apply under section 94.11 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the occupancy and evicting the Co-op Member. The Co-op must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Co-op Member.

May 29, 2026

Date Issued

Sumathi Dhanapal

Hearings Officer, 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.