



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

File Number: LTB-L-012949-26

In the matter of: 3, 529 LESLIE AVE
THUNDER BAY ON P7A1Z1

Between: NPTBDC - INDIGENOUS HOUSING Landlord

And

Norah Thompson Tenants
Angel Thompson

NPTBDC - INDIGENOUS HOUSING (the 'Landlord') applied for an order to terminate the tenancy and evict Norah Thompson and Angel Thompson (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on April 21, 2026.

Only the Landlord's agent, Laura Sutherland attended the hearing.

As of 9:42 a.m., the Tenants were 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. The Landlord served the Tenants with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenants 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 Tenants were still in possession of the rental unit.
3. The lawful rent is \$933.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$30.67. This amount is calculated as follows: \$933.00 x 12, divided by 365 days.
5. The Tenants have paid \$2,665.00 to the Landlord since the application was filed.
6. The rent arrears owing to April 30, 2026 are \$933.00.

7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. There is no last month's rent deposit.

Relief from eviction

9. At the hearing, the Landlord's agent confirmed that a third-party agency paid the rent arrears owing up to March 31, 2026 on March 26, 2026. As a result, the only amount outstanding at that time was the Landlord's application filing fee of \$186.00. The Landlord's agent further submitted that additional rent became due on April 1, 2026 and remained unpaid as of the hearing date.
10. I am satisfied, based on the evidence before me, that the arrears of rent that formed the basis of the N4 Notice of Termination and this application were paid in full prior to the hearing. Pursuant to section 59 of the *Residential Tenancies Act, 2006* (the 'Act'), a notice of termination for non-payment of rent is void if the tenant pays the arrears set out in the notice before the termination date. Although the arrears were not paid within the voiding period set out in the notice, in my view, where the arrears forming the basis of the application have been paid in full before the hearing, I find that there is no basis to terminate the tenancy on the grounds set out in the notice.
11. The additional rent that became due on April 1, 2026 did not form part of the arrears identified in the N4 Notice of Termination and was not the basis upon which this application was commenced. While I may consider post-filing arrears in determining the amount owing, I do not find that those arrears revive the original grounds for termination where the arrears identified in the notice have been fully satisfied prior to the hearing.
12. In these circumstances, I find that the purpose of the application—to recover the arrears identified in the notice of termination—has been substantially achieved. The Tenants have remedied the arrears that gave rise to the application, and I am therefore not satisfied that it would be appropriate to terminate the tenancy. Accordingly, the request for eviction is denied.
13. The Tenants remain responsible for the Landlord's application filing fee of \$186.00 and for any rent that became due and remained unpaid after March 31, 2026, including the arrears for April 2026.
14. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), including whether the Landlord attempted to negotiate a repayment agreement with the Tenants, and find that it would not be unfair to grant relief from eviction pursuant to subsection 83(1)(a) of the Act.

It is ordered that:

1. The Tenants shall pay to the Landlord \$1,119.00. This amount includes rent arrears owing up to April 30, 2026 and the cost of filing the application.

2. If the Tenants do not pay the Landlord the full amount owing on or before June 16, 2026, the Tenants will start to owe interest. This will be simple interest calculated from June 17, 2026 at 4.00% annually on the balance outstanding.

June 5, 2026
Date Issued

Christina Philp
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.