



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

File Number: LTB-L-013973-26

In the matter of: 506, 65 SYMPATICA CRES
BRANTFORD ON N3P1M7

Between: 498771 Ontario Limited c.o.b Lynden Park Towers Landlord

And

Douglas Barnard Tenants
Sabine Wabegijig-Inklater

498771 Ontario Limited c.o.b Lynden Park Towers (the 'Landlord') applied for an order to terminate the tenancy and evict Douglas Barnard and Sabine Wabegijig-Inklater (the 'Tenants') because the Tenants have been persistently late in paying the Tenants' rent.

The Landlord also claimed compensation for each day the Tenants remained in the unit after the termination date.

This application was heard by videoconference on April 30, 2026.

The Landlord's legal representative, Sabrina Marchionne and the Tenant, Douglas Barnard attended the hearing.

Determinations:

1. The Tenants were in possession of the rental unit on the date the application was filed.
2. On February 9, 2026, the Landlord gave the Tenants an N8 notice of termination with a termination date of April 30, 2026. The notice of termination alleges that the Tenants persistently failed to pay the rent on the day it was due for the period from March 2025 to February 2026.
3. The Tenants 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 12 times in the past 12 months, with delayed payments being made between 1 day and weeks late.
4. Since the N8 notice of termination was served the Tenants paid March 2026 rent late on March 4, 2026 but have paid the April 2026 rent on time.

5. The Landlord's legal representative submitted that a previous conditional order requiring the Tenants to pay the rent as it became due was in effect from October 2022 to October 2023. The Landlord's legal representative further submitted that the Tenants breached the terms of that order during its operative period. In light of the Tenants' history of late rent payments, the Landlord's legal representative requested that a conditional order be issued requiring the Tenants to pay the rent in full and on time for a period of two years commencing June 1, 2026.
6. I am satisfied that it is appropriate to issue a conditional order. Such an order provides the Tenants with an opportunity to preserve the tenancy while addressing the persistent late payment of rent. However, I do not find that a two-year conditional period is warranted in the circumstances. Although the previous conditional order was breached, it expired more than two years ago. Having considered the Tenants' payment history as set out in the Landlord's ledger, I find that a conditional period of 18 months strikes an appropriate balance between providing the Tenants with an opportunity to comply with their rental obligations and protecting the Landlord's interest in receiving the rent on time.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. 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 tenancy between the Landlord and the Tenants continues if the Tenants meet the conditions set out below.
2. The Tenants shall pay the Landlord the monthly rent for the months of **June 2026 to November 2027** in full and by the **first day** of each corresponding month.
3. If the Tenants fail to comply with the conditions set out in paragraph 2 of this order, the Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenants. The Landlord must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Tenants.
4. The Tenants shall pay to the Landlord \$186.00 for the cost of filing the application.
5. If the Tenants do not pay the Landlord the full amount owing on or before June 20, 2026, the Tenants will start to owe interest. This will be simple interest calculated from June 21, 2026 at 4.00% annually on the balance outstanding.

June 9, 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.