



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

File Number: LTB-L-034602-26

In the matter of: 110, 485 FIRST AVE W
NORTH BAY ON P1B3C5

Between: First Ave (No. 6) Inc. Landlord

And

Stacy Chapman Tenant

First Ave (No. 6) Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Stacy Chapman (the 'Tenant') because:

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

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 June 17, 2026.

Only the Landlord's agent, Paula Peroni, attended the hearing.

As of 10:06 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. Therefore, the tenancy is terminated effective July 3, 2026.
2. The Tenant was in possession of the rental unit on the date the application was filed.

N8 Notice of Termination

3. On April 20, 2026, the Landlord gave the Tenant an N8 notice of termination. The notice of termination contains the following allegations: the Tenant has persistently paid their rent late.

Persistently Late

4. Based on the Landlord's uncontested evidence, I am satisfied on a balance of probabilities 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 Landlord's evidence shows that the rent has been paid late 10 times in the past 10 months from July 2025 to April 2026. A copy of the Tenant's ledger was submitted into evidence.
5. The Landlord further testified that since the application was filed in April 2026, the Tenant has continued to pay the rent late, as of the hearing date, rent arrears total \$13,034.43.

Daily compensation, NSF charges, rent deposit

6. The Landlord's agent submitted that the Landlord previously obtained an Order of the Landlord and Tenant Board issued on May 29, 2026, under file number LTB-L-108020-25-RV, which terminated the tenancy and required the Tenant to vacate the rental unit on or before June 9, 2026.
7. The Landlord's agent submitted that the Tenant has failed to vacate the rental unit in accordance with that Order and remains in possession.
8. The Landlord has taken steps to enforce the prior Order by filing it with the Court Enforcement Office (Sheriff); however, as of the date of this order, an enforcement date has not yet been scheduled.
9. As the tenancy has already been terminated, the Tenant is required to pay daily compensation for use and occupation of the rental unit from the date of termination to the date the Tenant vacates. Since the Board has already issued an order of rent arrears owing up to June 9, 2026, the daily compensation the Tenant will owe in this order is from June 10, 2026, to the date the Tenant vacates the rental unit.
10. Based on the monthly rent, the daily compensation is \$60.16. This amount is calculated as follows: \$1,830.00 x 12, divided by 365 days.
11. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
12. The Landlord collected a rent deposit of \$1,905.00 from the Tenant and this deposit is still being held by the Landlord. Interest on the rent deposit, in the amount of \$43.95 is owing to the Tenant for the period from May 13, 2025 to June 17, 2026.
13. The rent deposit, together with the interest owed, shall be applied to the amount owing by the Tenant.

14. If the rent deposit and interest exceed the amount owing, the Landlord shall pay any excess amount to the Tenant. If there is a balance owing after the deposit is applied, the Tenant shall pay the outstanding amount to the Landlord.

Relief from eviction

15. The Landlord seeks termination of the tenancy. When asked about the Tenant's circumstances, the Landlord testified that they are not aware of any factors that would warrant delaying or denying eviction. The Landlord further submitted that the Tenant's persistent late payments have caused financial hardship, including difficulties in meeting obligations to lenders and service providers.
16. The Tenant did not attend the hearing to provide submissions or evidence in support of granting relief from eviction.
17. 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.
18. The order contains all of the reasons for the decision within it. No further reasons shall be issued.

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 July 3, 2026.
2. If the unit is not vacated on or before July 3, 2026, then starting July 4, 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 July 4, 2026.
4. The Tenant shall also pay the Landlord compensation of \$60.16 per day for the use of the unit starting June 10, 2026 until the date the Tenant moves out of the unit.
5. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
6. The total amount the Tenant must pay the Landlord is \$186.00.
7. If the Tenant does not pay the Landlord the full amount owing on or before July 3, 2026, the Tenant will start to owe interest. This will be simple interest calculated from July 4, 2026 at 4.00% annually on the balance outstanding.

June 22, 2026
Date Issued

Teresa Hunt
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 January 4, 2027 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.