



Order under Section 69 Residential Tenancies Act, 2006

Citation: Ceming Investments Inc. v Migwanabi, 2026 ONLTB 49120

Date: 2026-06-29

File Number: LTB-L-032792-26

In the matter of: 1010, 200 STE. ANNE RD
SUDBURY ON P3C5M4

Between: Ceming Investments Inc. Landlord

And

Nicole Migwanabi Tenant

Ceming Investments Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Nicole Migwanabi (the 'Tenant') because:

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

This application was heard by videoconference on June 15, 2026.

Only the Landlord's Agent, Sherri German attended the hearing.

As of 11:07 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, a termination order shall be issued terminating the tenancy between the Landlord and the Tenant.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. On April 9, 2026, the Landlord gave the Tenant an N8 notice of termination deemed served on the same date. The notice of termination alleged that the Tenant has persistently paid the rent late for the previous 12 months and attached a detailed ledger confirming this information. The ledger showed that no rent was paid in many of the months.

4. Ms. German advised that the Tenant had not paid any rent for March, April, May and June and that an L1 hearing was scheduled for the following day.
5. On the basis of the uncontested evidence before me, I find that the Tenant has persistently failed to pay the rent on the date that it was due.
6. The Landlord's Agent sought eviction of the Tenant.
7. I asked the Landlord's Agent to disclose any circumstances that they were aware of in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the "Act"). Ms. German stated that the Tenant was indigent and that she had no children. She stated that she was not aware of any other circumstances under this section.

Rent Deposit

8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
9. The Landlord collected a rent deposit of \$1,800.00 from the Tenant and this deposit is still being held by the Landlord. Interest on the rent deposit, in the amount of \$86.01 is owing to the Tenant for the period from May 16, 2024 to June 15, 2026.

Relief from Eviction

10. 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 July 10, 2026.
2. If the unit is not vacated on or before July 10, 2026, then starting July 11, 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 11, 2026.
4. The total amount the Tenant must pay the Landlord is \$186.00.
5. If the Tenant does not pay the Landlord the full amount owing on or before July 10, 2026, the Tenant will start to owe interest. This will be simple interest calculated from July 11, 2026 at 4.00% annually on the balance outstanding.

June 29, 2026
Date Issued

Carrie Bertrand
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 11, 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.