



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

**Citation:** MAPS DEVELOPMENTS CORP. v Cummings, 2023 ONLTB 33599

**Date:** 2023-07-17

**File Number:** LTB-L-020281-22

**In the matter of:** 308, 450A SIDNEY ST  
Belleville ON K8P4A1

**Between:** MAPS DEVELOPMENTS CORP. Landlord

**And**

Cory Cummings Tenant

MAPS DEVELOPMENTS CORP. (the 'Landlord') applied for an order to terminate the tenancy and evict Cory Cummings (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 February 22, 2023.

Only the Landlord's representative Ian Macinnis attended the hearing.

As of 10 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 the Board to issue an order requiring the Tenant to pay the monthly rent in full and on time from August 1, 2023 until August 1, 2024.

**N8 Notice of Termination**

2. On April 5, 2022, the Landlord gave the Tenant an N8 notice of termination deemed served April 6, 2023. The notice of termination contains the following allegations: the Tenant has failed to pay the monthly rent in full and on time on the first day of each month from November 1, 2020 – April 1, 2022.

**Persistently Late**

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 rent has been paid late 17 times in the past 17 months. The Landlord's representative provided the Tenant's rent ledger in evidence to support this claim.

3. The Tenant has continued to pay the monthly rent late since the N8 notice was served. The Landlord does not wish to evict the Tenant but seeks an order from the Board requiring the Tenant to pay the rent in full and on time each month.

**It is ordered that:**

1. The tenancy between the Landlord and the Tenant continues if the Tenant meets the conditions set out below:

The Tenant shall pay the Landlord the lawful monthly rent in full and on the first business day of every month from September 1, 2023 up to and including August 1, 2024.

2. If the Tenant fails to comply with the conditions set out in paragraph 1 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 Tenant. 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 Tenant.

**July 31, 2023****Date Issued**


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 Maria Shaw

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 November 13, 2023 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.