



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

**Citation:** London & Middlesex Community Housing Inc. v Dylan Ironside, 2023 ONLTB 38044

**Date:** 2023-05-18

**File Number:** LTB-L-064277-22

**In the matter of:** 969 HURON ST  
LONDON ON N5Y4K5

**Between:** London & Middlesex Community Housing Inc. Landlord

**And**

Angela Ironside and Dylan Ironside Tenant

London & Middlesex Community Housing Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Angela Ironside and Dylan Ironside (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on May 8, 2023.

Only the Landlord attended the hearing when the matter was called at 2:04pm. The Landlord was represented by Richard De Haan.

### **Determinations:**

1. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant 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. The Tenant was in possession of the rental unit on the date the application was filed.
3. The lawful rent is \$161.00. It is due on the 1st day of each month.
4. The Tenant has paid \$13,300.00 to the Landlord since the application was filed.
5. The rent arrears owing to May 31, 2023 are \$102.00.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. The Landlord seeks a conditional order based on the terms discussed with the Tenants whereby the Tenants will pay \$25.00 with their rent commencing June 2023 until the balance is paid in full.

8. As the Landlord's request benefits the Tenant as it provides them with a period greater than the standard 11 days to pay the arrears and keep their tenancy, the Landlord's request is granted.
9. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the Residential Tenancies Act, 2006 (the 'Act'), including the impact of COVID-19 on the parties and whether the Landlord attempted to negotiate a repayment agreement with the Tenant, 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 Tenant shall pay to the Landlord \$288.00 for arrears of rent up to May 31, 2023 and costs.
2. The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:
  - a) \$25.00 on or before June 1, 2023;
  - b) \$25.00 on or before July 1, 2023;
  - c) \$25.00 on or before August 1, 2023;
  - d) \$25.00 on or before September 1, 2023;
  - e) \$25.00 on or before October 1, 2023;
  - f) \$25.00 on or before November 1, 2023;
  - g) \$25.00 on or before December 1, 2023;
  - h) \$25.00 on or before January 1, 2024;
  - i) \$25.00 on or before February 1, 2024;
  - j) \$25.00 on or before March 1, 2024;
  - k) \$25.00 on or before April 1, 2024; and
  - l) \$13.00 on or before May 1, 2024.

3. The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period June 2023 to May 2024, or until the arrears are paid in full, whichever date is earliest.
4. If the Tenant fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the

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Landlord pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after May 31, 2023.

**May 18, 2023**

**Date Issued**

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Sonia Anwar-Ali

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.