



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

**Citation:** MATRIX NON-PROFIT HOUSING CORPORATION v Thompson, 2022 ONLTB 9698

**Date:** 2022-10-24

**File Number:** LTB-L-000272-22

**In the matter of:** 208, 141 Woolwich St  
Guelph ON N1H8M5

**Between:** MATRIX NON-PROFIT HOUSING CORPORATION Landlord

**And**

Chantel Thompson Tenant

MATRIX NON-PROFIT HOUSING CORPORATION (the 'Landlord') applied for an order to terminate the tenancy and evict Chantel Thompson (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 September 6, 2022.

Only the Landlord's Legal Representative, M. Sawicki attended the hearing.

As of 9:33 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 as of November 4, 2022.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. N8 Notice of Termination

On November 23, 2021, the Landlord gave the Tenant an N8 notice of termination placing the document under the door or through the mail slot in the door. The notice of termination contains the following allegations:

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Persistently Late

The Tenant has persistently failed to pay the rent on the date it was due. The rent is due on the 1<sup>st</sup> day of each month. The rent has been paid late 8 times in the past 11 months.

4. After the N8 Notice was served, the Tenant continued to pay the rent late. From December 2021 to the hearing date, the Tenant paid the rent late 6 times.
5. Based on the uncontested evidence before me, I find that the Tenant has persistently failed to pay the rent on the date that the rent is due.

Daily Compensation

6. The Tenant was required to pay the Landlord \$1,039.23 in daily compensation for use and occupation of the rental unit for the period from January 31, 2022 to September 6, 2022.
7. Based on the Monthly rent, the daily compensation is \$4.77. This amount is calculated as follows: \$145.00 x 12, divided by 365 days.
8. There is no last month's rent deposit.

Relief from eviction

9. 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. The Tenant did not attend the hearing to present any evidence or submissions in support of granting relief from eviction.

**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 November 4, 2022.
2. If the unit is not vacated on or before November 4, 2022, then starting November 5, 2022, 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 November 5, 2022.
4. The Tenant shall pay to the Landlord \$1,039.23, which represents compensation for the use of the unit from January 31, 2022 to September 6, 2022.
5. The Tenant shall also pay the Landlord compensation of \$4.77 per day for the use of the unit starting September 7, 2022 until the date the Tenant moves out of the unit.
6. If the Tenant does not pay the Landlord the full amount owing on or before November 4, 2022, the Tenant will start to owe interest. This will be simple interest calculated from November 5, 2022 at 4.00% annually on the balance outstanding.

**October 24, 2022**

**Date Issued**

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Emily Robb

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 May 5, 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.