



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-087674-25

In the matter of: 40 SUMMIT CRES
BELLEVILLE ON K8N0A2

Between: 2862723 Ontario Inc Landlord

And

SIMONE SZAUTER Tenant
GOBINATH KANAGARATHAM

2862723 Ontario Inc (the 'Landlord') applied for an order to terminate the tenancy and evict SIMONE SZAUTER and GOBINATH KANAGARATHAM (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

Mediation was held on January 8, 2026. The following parties participated in the mediation: The Landlords, Raj Patel and Nayneshkumar Patel, and the Tenant, Simone Szauter on behalf of both Tenants.

The parties consented to the following order. I was satisfied that the parties understood the consequences of their consent.

Agreed Facts:

1. The Landlord served the Tenants with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenants 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. As of the hearing date, the Tenants were still in possession of the rental unit.
3. The lawful rent is \$3,075.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$101.10. This amount is calculated as follows: \$3,075.00 x 12, divided by 365 days.
5. The rent arrears owing to January 31, 2026 are \$20,800.00.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

7. The Landlord collected a rent deposit of \$3,000.00 from the Tenant and this deposit is still being held by the Landlord. The rent deposit can only be applied to the last rental period of the tenancy if the tenancy is terminated.
8. Interest on the rent deposit, in the amount of \$75.00 is owing to the Tenant for the period from June 1, 2024 to January 31, 2026.
9. This Order on Consent represents a final, non-voidable termination of this tenancy.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenants is terminated as of February 28, 2026. The Tenants must move out of the rental unit on or before February 28, 2026.
2. The Tenants shall pay to the Landlord **\$20,986.00** which represents the arrears of rent (\$20,800.00) plus costs (\$186.00) for the period ending January 31, 2026.
3. The Tenants shall pay the Landlord the full amount owing as set out in paragraph 2 on or before February 28, 2026.
4. If the unit is not vacated on or before February 28, 2026, the Tenants shall also pay the Landlords compensation of \$101.10 per day for the use of the unit starting March 1, 2026 until the date the Tenants move out of the unit.
5. If the Tenants fail to make any one of the payments in accordance with this order, the outstanding balance to be paid by the Tenants to the Landlord pursuant to paragraph 2 and, if applicable, paragraph 4 of this order shall become payable on the day following the date of default. The monies owing shall bear interest at the post-judgement interest rate determined under subsection 207(7) of the Residential Tenancies Act, 2006. The Landlords have the right to collect the balance outstanding under this Order.
6. If the unit is not vacated on or before February 28, 2026 then starting March 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
7. 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 March 1, 2026.

January 13, 2026

Date Issued

Ryan Gacnik

Hearings Officer, 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 expires on September 1, 2026 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.