



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

File Number: LTB-L-094929-25

In the matter of: 121, 39 NIAGARA ST
TORONTO ON M5V0T6

Between: MCM Fund II(39 Niagara)LP Inc and MCM Fund II (39 Niagara) Multi-Residential Inc Landlord

And

Bernardo Bicca Tenants
Gabriela Lago de Souza

MCM Fund II(39 Niagara)LP Inc and MCM Fund II (39 Niagara) Multi-Residential Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Bernardo Bicca and Gabriela Lago de Souza (the 'Tenants') because:

- the Tenants have been persistently late in paying the Tenants' rent.

The application was scheduled to be heard by video conference on January 8, 2026. Before the start of the hearing, the Landlord's Representative, Faith McGregor and the Tenant, Bernardo Bicca, on behalf of both Tenants advised that the parties had reached an agreement. The Tenant declined the opportunity to speak with Duty Counsel prior to the hearing.

The parties requested that Dispute Resolution Officer (DRO) Sarah Visnovec issue an order on consent to resolve all matters raised in the application.

Upon reviewing the terms of the consent with the parties, I was satisfied that the parties understood the terms and consequences of their consent.

Agreed fact:

- The Tenants paid the application filing fee of \$186.00 on December 1, 2025.

On consent, it is ordered that:

1. The tenancy between the Landlord and the Tenants continues if the Tenants meet the conditions set out below.
2. The Tenants shall pay to the Landlord the lawful rent for January 2026 on or before January 21, 2026.

3. The Tenants shall pay to the Landlord the lawful monthly rent in full and on time on or before the first day of each month starting February 2026 through to and including January 2027.
4. If the Tenants fail to comply with the conditions set out in paragraphs 2 and/or 3 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 Tenants. 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 Tenants.

January 16, 2026
Date Issued

Sarah Visnovec
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.