



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

File Number: LTB-L-079260-25

In the matter of: 511 DONALD ST W
THUNDER BAY ON P7E 5Y7

Between: ELIZABETH MANN Landlords
ROBERT MANN

and

JOSHUA TOMAGATICK Tenants
SONYA WILLIAMS
BOB TOMAGATICK
DOROTHY SACKANAY
BOBBY TOMAGATICK

ELIZABETH MANN and ROBERT MANN (the 'Landlords') applied for an order to terminate the tenancy and evict JOSHUA TOMAGATICK, SONYA WILLIAMS, BOB TOMAGATICK, DOROTHY SACKANAY and BOBBY TOMAGATICK (the 'Tenants') because the Landlords in good faith require possession of the rental unit for the purpose of residential occupation for at least one year.

The Landlords also claimed compensation for each day the Tenants remained in the unit after the termination date.

This application was scheduled for videoconference on January 12, 2026.

The Landlords, the Landlords' Representative Sidney Sheridan, Tenants Sonya Williams, Bob Tomagatick, Bobby Tomagatick, and Dorothy Sackanay, who had authorization to consent on behalf of Tenant Joshua Tomagatick, engaged in private settlement discussions on the day of the hearing. Parties reached an agreement and requested an order on consent.

The Tenants who were present received legal advice about this application.

I am satisfied that the parties understand the consequences of their consent, including waiving their right to a hearing on this application.

The interest on the last month rent deposit referenced as of the date of mediation differs from the amount set forth in this order on consent due to a clerical error in calculating the interest. To rectify this error, the interest amount has been increased accordingly and no other amounts in this order have been impacted by this change.

Agreed Facts:

- 1) The current rent increased to \$2,101.25 on December 1, 2025. It is due on the 1st day of each month.
- 2) The Landlords have provided a compensation cheque to the Tenants for an amount equal to one month's rent and the Tenants will now cash that cheque.
- 3) Based on the monthly rent, the daily compensation is \$69.08. This amount is calculated as follows: \$2,101.25 x 12 months, divided by 365 days.
- 4) The Landlords collected a rent deposit of \$2,000.00 from the Tenants and this deposit is still being held by the Landlords. The rent deposit shall be applied to March 2026 as the last month of the tenancy.
- 5) Interest on the rent deposit, in the amount of \$189.81 is owing to the Tenants for the period from February 1, 2022 to January 12, 2026. The Landlords will pay to the Tenants any interest amount owing on or before the date the Tenants vacate the unit.
- 6) This tenancy is terminated in a non-voidable manner and the Tenants will move out by March 31, 2026.
- 7) If the Tenants move out earlier than March 31, 2026, the Landlords will deduct from any rent payments or amount owing the daily compensation of \$69.08 for each day before March 31, 2026 that the Tenants vacated.

It is ordered on consent of the parties that:

1. The tenancy between the Landlords and the Tenants is terminated. **The Tenants and all Occupants must move out of the rental unit on or before March 31, 2026.**
2. If the unit is not vacated on or before March 31, 2026, then starting April 1, 2026, the Landlords 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 Landlords on or after April 1, 2026.
4. The Tenants shall also pay the Landlords compensation of \$69.08 per day for the use of the unit starting April 1, 2026 until the date the Tenants move out of the unit.

5. This order is in full and final settlement of this application.

January 16, 2026
Date Issued

Denise Hannivan
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 of the Tenants expires on October 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.