



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-076449-25

In the matter of: 416 FOURTH ST W
CORNWALL ON K6J2S5

Between: Zhiping Kovinich Landlord

And

Shane Willard Tenant

Zhiping Kovinich (the 'Landlord') applied for an order to terminate the tenancy and evict Shane Willard (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant;
- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has wilfully or negligently caused damage to the premises

This application was heard by videoconference on December 4, 2025. Before the start of the hearing the Landlord's Representative, Daniel Moak, the Landlord's Agent, Louis-Gabriel Vallerand, and the Tenant, Shane Willard, advised that the parties had reached an agreement.

The parties requested that Dispute Resolution Officer (DRO) Sumathi Dhanapal provide assistance in finalizing the terms and issue an order on consent to resolve all matters raised in the application.

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

Agreed Facts:

1. The Landlord is waiving claim to the application fee from the Tenant.

On consent of the parties, it is ordered that:

1. The tenancy between the Landlord and the Tenant continues if the Tenant meets the conditions set out below.
2. The Tenant shall ensure all flammable items be moved 2 metres from the fireplace for a period of 24 months, commencing December 4, 2025, to December 31, 2026.

3. The Tenant shall have all garbage outside the rental unit cleaned, on or before December 31, 2026.
4. The Tenant shall replace the living room floor with light colour flooring, on or before May 31, 2026.
5. The Tenant shall not make any claims with the Landlord and Tenant Board to replace the fireplace until after January 1, 2035.
 - A. If the Tenant moves out prior to December 31, 2030, the Tenant shall pay to the Landlord \$1,800.00 for damages caused to the fireplace.
 - B. If replacement of the fireplace is required before December 31, 2030, the Tenant is responsible for \$3,600.00 of costs.
 - C. If replacement is required between January 1, 2031, to December 31, 2034, the Tenant and Landlord will split costs, with the Tenant paying \$1,800.00 towards the replacement of the fireplace.
 - D. After January 1, 2035, the Landlord will be responsible for all costs to replace the fireplace.
6. If the Tenant fails to comply with the conditions set out in paragraph 2, 3, 4, and 5 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 Tenant. 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 Tenant.

January 16, 2026

Date Issued

Sumathi Dhanapal

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.

