



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

**Citation:** Tavares v Da Silva, 2026 ONLTB 6079

**Date:** 2026-01-23

**File Number:** LTB-L-048730-25

**In the matter of:** 6, 1630 DUNDAS ST W  
TORONTO ON M6K1V1

**Between:** Victor Tavares Landlord

**And**

Donalda Da Silva Tenant

Victor Tavares (the 'Landlord') applied for an order to terminate the tenancy and evict Donalda Da Silva (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 15, 2026.

The Landlord's agent, M. Tavares, the Landlord's legal representative, E. Steiman, the Tenant, and the Tenant's legal representative, M. Bondy, attended the hearing. The Tenant's EPIC support worker, H. Yu, also attended the hearing to observe.

### **Agreed Facts:**

1. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant 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 Tenant was still in possession of the rental unit.
3. The lawful rent is \$2,000.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$65.75. This amount is calculated as follows: \$2,000.00 x 12, divided by 365 days.
5. The Tenant has paid \$5,908.00 to the Landlord since the application was filed.
6. The rent arrears owing to January 31, 2026 are \$12,560.00.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

8. There is no last month's rent deposit.

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

**On consent, it is ordered that:**

1. The tenancy between the Landlord and the Tenant is terminated on March 1, 2026. The Tenant must move out of the rental unit on or before March 1, 2026.
2. The Tenant shall pay the Landlord \$14,811.75 by March 1, 2026. See Schedule 1 for the calculation of the amount owing.
3. **If the Tenant does not pay the amount required to void this order the Tenant must move out of the rental unit on or before March 1, 2026.**
4. If the Tenant does not move out of the rental unit on or before March 1, 2026, the Tenant shall also pay the Landlord compensation of \$65.75 per day for the use of the unit starting March 2, 2026 until the date the Tenant moves out of the unit.
5. If the Tenant does not pay the Landlord the full amount owing on or before March 1, 2026, the Tenant will start to owe interest. This will be simple interest calculated from March 2, 2026 at 4.00% annually on the balance outstanding.
6. If the unit is not vacated on or before March 1, 2026, then starting March 2, 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 2, 2026.

**January 23, 2026**  
**Date Issued**

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Nancy Morris  
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 expires on September 2, 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. The Landlord is authorized to file this order with the Court Enforcement Office upon receipt of this order, for enforcement after the termination date.

**Schedule 1**  
**SUMMARY OF CALCULATIONS**

**A. Amount the Tenant must pay**

|                                                                                                                                                                                                        |                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| Rent Owing To March 31, 2026                                                                                                                                                                           | \$20,533.75        |
| Application Filing Fee                                                                                                                                                                                 | \$186.00           |
| <b>Less</b> the amount the Tenant paid to the Landlord since the application was filed                                                                                                                 | - \$5,908.00       |
| <b>Total the Tenant must pay to continue the tenancy</b>                                                                                                                                               | <b>\$14,811.75</b> |
| Plus daily compensation owing for each day of occupation starting March 2, 2026<br>**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00. | \$65.75 (per day)  |