



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-083444-25

In the matter of: Bsmt Apt 2, 141 CLANTON PARK RD
NORTH YORK ON M3H2E6

Between: GFC Holdings Limited Landlord

And

Nichelle Francis Tenant
Zachery Francis

GFC Holdings Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Nichelle Francis and Zachery Francis (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.

The application was scheduled to be heard on January 15, 2026, by video conference, at which the parties decided to participate in Board facilitated mediation with the assistance of Dispute Resolution Officer/Hearings Officer, Michelle Forrester.

The Landlord, the Landlord's Legal Representatives, Emilio Vaiano and Christina Goncalves, and the Tenant, Nichelle Francis, who represented both Tenants, were present.

As a result of the mediation the parties mutually agreed to resolve all matters at issue in the application and requested an order on consent and I am satisfied that the parties understand the consequences of their consent.

Agreed facts:

1. The Tenant was in possession of the rental unit on the date the application was filed.
2. On September 23, 2025, the Landlord gave the Tenant an N5 notice of termination.

3. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs. The Landlord has waived their entitlement to be reimbursed the \$186.00 filing fee.
4. The Landlord collected a rent deposit of \$1,550.00 from the Tenant and this deposit is still being held by the Landlord. The Landlord shall apply the deposit to rent for March 2026.
5. Interest on the rent deposit, in the amount of \$68.37 is owing to the Tenant for the period from December 2, 2023, to January 15, 2026.
6. The Tenant shall pay the Landlord compensation of \$53.07 per day for the use of the unit starting January 16, 2026, to the date the Tenant moves out of the unit.
7. The parties agreed to a nonvoidable order with an eviction date of March 16, 2026.
8. If the Tenant vacates on March 16, 2026, the Landlord will owe the Tenant a per diem credit in the amount of \$753.95 plus interest on the last month's rent deposit in the amount of \$68.37.

On consent of the parties, it is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before March 16, 2026.
2. If the unit is not vacated on or before March 16, 2026, then starting March 17, 2026, the Landlord 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 Landlord on or after March 17, 2026.
4. The Tenant shall pay the Landlord compensation of \$53.07 per day for the use of the unit starting January 16, 2026, to the date the Tenant moves out of the unit.
5. The Landlord shall apply the Tenants' last month's rent deposit to the rent for March 2026.
6. If the Tenant vacates the unit in accordance with paragraph 1 above, the Landlord shall pay the tenant \$822.32 on March 16, 2026. This amount represents a per diem credit in the amount of \$753.95 and interest on the last month's rent deposit in the amount of \$68.37.
7. If the Tenant fails to vacate the unit in accordance with paragraph 1 above, the per diem credit owed to the Tenant in accordance with paragraph 6 above, shall be reduced and paid to the Tenant upon the date the Tenant vacates the unit.

8. The Landlord has waived their entitlement to be reimbursed by the Tenant for the \$186.00 cost for filing the application.

January 27, 2026

Date Issued

Michelle Forrester

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 Tenant expires on September 17, 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.