



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-080943-25
LTB-T-091471-24

In the matter of: 209, 150 MACLAREN ST
OTTAWA ON K2P0L2

Between: Doug Ducharme
United Properties

Landlords

And

Mary Milstone
Dan Witmer

Tenants

Doug Ducharme and United Properties Ottawa (the 'Landlords') applied for an order to terminate the tenancy and evict Mary Milstone and Dan Witmer (the 'Tenants') because the Tenants, another occupant of the rental unit or someone the Tenants permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant (LTB-L-080943-25). The Landlords also claimed compensation for each day the Tenant remained in the unit after the termination date.

The Tenants applied for an order determining that the Landlords (LTB-T-091471-24):

- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household.
- harassed, obstructed, coerced, threatened or interfered with the Tenant.

The application was scheduled to be heard by video conference on January 20, 2026.

Before the start of the hearing the Landlord Doug Ducharme, the Landlords' lawyer David Lyman, the Tenant lawyer Carson Frankum engaged in private settlement discussions and advised that the parties had reached an agreement. The parties requested that Dispute Resolution Officer (DRO) Diego Fernandez-Stoll provide assistance in finalizing the terms and issue an order on consent to resolve all matters raised in the application and all matters arising from the tenancy to the date of the hearing. Upon reviewing the terms of the consent with the parties, I was satisfied that the parties understood the terms and consequences of their consent.

The parties agreed that:

1. The current monthly rent is \$898.00 Daily rent is \$29.32 which is calculated as follows: \$898.00 x 12 months /365 days.

On consent, it is ordered that:

1. This order is in full resolution of all issues raised in applications LTB-L-080603-25 and LTB-T-90471-24 and all matters arising from the tenancy to the date of the hearing.
2. The tenancy between the Landlords and the Tenants is terminated. The Tenants must move out of the rental unit on or before July 20, 2026.
3. If the Tenants wish to vacate the rental unit before July 20, 2026, they will by provide the Landlords with seven (7) days written notice of early termination.
4. If the unit is not vacated on or before July 20, 2026, then starting July 21, 2026, the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
5. 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 July 21, 2026.
6. The Tenants shall also pay the Landlords compensation of \$29.52 per day for the use of the unit starting July 21, 2026, to the date the Tenant moves out of the unit.
7. From the date of the hearing to the date the Tenants move out of the unit, the Tenants will not smoke in the rental unit or in the residential complex in a way that substantially interferes with the reasonable enjoyment of any other person in the residential complex.
8. If the Tenants fail to comply with the conditions set out in paragraph 7 of this order, the Landlords 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. This may result in the Board issuing an order that terminates the tenancy before July 20, 2026.
9. The Landlords and the Tenants waive their respective application filing fees.

January 27, 2026
Date Issued

Diego Fernandez-Stoll
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 January 21, 2027 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.