



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

File Number: LTB-L-084839-25

In the matter of: 610, 35 CEDARCROFT BLVD
NORTH YORK ON M2R2Z4

Between: 35 Cedarcroft Boulevard Ltd. Landlord

And

Frantisek Cerny Tenant
Libuse Cerna

35 Cedarcroft Boulevard Ltd. (the 'Landlord') applied for an order to terminate the tenancy and evict Frantisek Cerny and Libuse Cerna (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was scheduled to be heard by videoconference on December 22, 2025. The Landlord's legal representative, Richard Hissey and the Tenant, Libuse Cerna attended the hearing. Libuse Cerna had authorization to consent on behalf of all parties.

Before the start of the hearing, the parties advised that they had reached an agreement. As a result of the resolution discussion, the parties mutually agreed to resolve all matters at issue in the application and requested an order on consent.

I was satisfied that the parties understood the terms and consequences of their consent.

Agreed Facts:

1. As of the hearing date, the Tenant was still in possession of the rental unit.
2. The lawful rent is \$2,115.16. It is due on the 1st day of each month.
3. Based on the Monthly rent, the daily rent/compensation is \$69.54. This amount is calculated as follows: $\$2,115.16 \times 12$, divided by 365 days.
4. The Tenant has not made any payments since the application was filed.
5. The rent arrears owing to December 31, 2025 are \$17,263.96.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

7. The Landlord collected a rent deposit of \$1,875.00 from the Tenant and this deposit is still being held by the Landlord. The rent deposit can only be applied to the last rental period of the tenancy when the tenancy is terminated.
8. Interest on the rent deposit, in the amount of \$163.27 is owing to the Tenant for the period from October 1, 2021 to December 15, 2025.
9. Parties agreed to a final, non-voidable eviction order based on the parties' agreement to terminate the tenancy. Therefore, the Tenant does not have the option to void the order by paying the arrears and costs.

On consent of the parties, it is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated and the Tenant must move out of the rental unit on or before January 15, 2026.
2. The Tenant shall pay to the Landlord \$15,012.41. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit are deducted from the amount owing by the Tenant. See Schedule 1 for the calculation of the amount owing.
3. The Tenant shall also pay the Landlord compensation of \$69.54 per day for the use of the unit starting December 23, 2025 until the date the Tenant moves out of the unit.
4. If the Tenant does not pay the Landlord the full amount owing on or before January 15, 2026, the Tenant will start to owe interest. This will be simple interest calculated from January 16, 2026, at 4.00% annually on the balance outstanding.
5. If the unit is not vacated on or before January 15, 2026, then starting January 16, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
6. 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 January 16, 2026.

January 30, 2026

Date Issued

Britney Sooknanan

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 expires on July 16, 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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenant must pay upon termination of the tenancy on January 15, 2026

Rent Owing To Hearing Date (December 22, 2025)	\$16,864.68
Plus Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,875.00
Less the amount of the interest on the last month's rent deposit	- \$163.27
Total amount owing to the Landlord	\$15,012.41
Plus daily compensation owing for each day of occupation starting December 23, 2025	\$69.54 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	