



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

File Number: LTB-L-101741-25

In the matter of: 202, 51 CUFFLEY CRES S
NORTH YORK ON M3K1X4

Between: A & R GAGLIANO HOLDINGS LTD. Landlord

And

BRIAN TROTHMAN Tenant

A & R GAGLIANO HOLDINGS LTD. (the 'Landlord') applied for an order to terminate the tenancy and evict BRIAN TROTHMAN (the 'Tenant') because:

- the Tenant has been persistently late in paying the Tenant's rent.

The application was scheduled to be heard by video conference on January 21, 2026. The Landlord was represented by Mark Ciobotaru and the Tenant was present. Prior to the hearing, the parties elected to participate in LTB facilitated mediation with the assistance of Helen Giannini, a Dispute Resolution Officer and Hearing Officer, with the Landlord and Tenant Board. 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.

The Parties agreed:

- a. The Landlord served the Tenant an N8 notice of termination alleging that the Tenant has been persistently late in pay the rent.
- b. The Tenant was in possession of the rental unit on the date the application was filed.
- c. This order is a non-voidable termination of this tenancy based on the parties' mutual agreement to terminate the tenancy by May 31, 2026.
- d. The lawful rent is \$1,204.00. The rent is due on the 1st day of each month.
- e. Based on the monthly rent, the daily compensation is \$39.58. This amount is calculated as follows: \$1,204.00 x 12, divided by 365 days.
- f. The Landlord collected a rent deposit of \$950.00 from the Tenant and this deposit is still being held by the Landlord. The interest that is due on the rent deposit will be applied to

the deposit to bring it to the current rent. The last month rent deposit is applied to the month of May 2026, being the last month of the tenancy.

It is ordered on consent that:

1. The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period, of and including February 1, 2026, to April 1, 2026. The last month rent deposit will be applied to the month of May 2026, being the last month of tenancy.
2. If the Tenant fails to comply with the conditions set out in paragraph 1 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.
3. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before May 31, 2026.
4. If the unit is not vacated on or before May 31, 2026, then starting June 1, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
5. The Tenant shall also pay the Landlord compensation of \$39.58 per day for the use of the unit starting June 1, 2026, until the date the Tenant moves out of the unit.
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 June 1, 2026.

February 2, 2026

Date Issued

Helen Giannini

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 December 1, 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.