



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

File Number: LTB-L-097834-25

In the matter of: 409, 75 COSBURN AVE
EAST YORK ON M4K2G1

Between: 75 Cosburn Apts. Landlord

And

Elaine Fiddes Tenant

75 Cosburn Apts. (the 'Landlord') applied for an order to terminate the tenancy and evict Elaine Fiddes (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on January 29, 2026.

The Landlord's Agent, Kathy Bucan, and the Tenant participated in mediation and agreed to an Order on Consent in full and final satisfaction of the application, and in so doing, understand that their legal rights to a hearing on the merits of the matter have been waived.

I was satisfied that the terms of this agreement are consistent with the *Residential Tenancies Act, 2006* and that the parties have provided their informed, independent, and voluntary consent.

The Tenant did meet with Duty Council, and the parties before the LTB consented to the following order:

It is agreed that:

1. The Landlord served the Tenant with a 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 \$1,980.00. It is due on the 1st day of each month.
4. Based on the monthly rent, the daily rent/compensation is \$65.10. This amount is calculated as follows: \$1,980.00 x 12, divided by 365 days.
5. The Tenant has paid \$3,960.00 to the Landlord since the application was filed.
6. The rent arrears owing to January 31, 2026 are \$1,980.00.

7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord collected a rent deposit of \$1,980.00 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 if the tenancy is terminated.
9. Interest on the rent deposit, in the amount of \$27.68 is owing to the Tenant for the period from June 1, 2025 to January 29, 2026.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenant is terminated in a final way and without voiding provisions.
2. The Tenant must move out of the rental unit on or before February 28, 2026.
3. The Tenant shall pay to the Landlord \$66.22. 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.
4. The Tenant shall also pay the Landlord compensation of \$65.10 per day for the use of the unit starting January 30, 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 February 28, 2026, the Tenant will start to owe interest. This will be simple interest calculated from March 1, 2026 at 4.00% annually on the balance outstanding.
6. If the unit is not vacated on or before February 28, 2026, then starting March 1, 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 1, 2026.

February 3, 2026

Date Issued

Janice Campbell

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 September 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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenant must pay as the tenancy is terminated

Rent Owing To Hearing Date – January 29, 2026	\$5,847.90
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$3,960.00
Less the amount of the last month's rent deposit	- \$1,980.00
Less the amount of the interest on the last month's rent deposit	- \$27.68
Total amount owing to the Landlord	\$66.22
Plus daily compensation owing for each day of occupation starting January 30, 2026	\$65.10 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	