



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

File Number: LTB-L-087449-25

In the matter of: UPPER UNIT, 360 ROXTON RD
TORONTO ON M6G3R2

Between: KYONGJIN LEE
SHANE BENNETT Landlords

And

BENJAMIN GOTTLIEB Tenant

KYONGJIN LEE and SHANE BENNETT (the 'Landlords') applied for an order to terminate the tenancy and evict BENJAMIN GOTTLIEB (the 'Tenant') because:

- the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year.

The Landlords also claimed compensation for each day the Tenant remained in the unit after the termination date.

The Landlord's legal representative Adam Hamdani and the Tenant advised by way of the Online Dispute Resolution Tool on the Tribunals Ontario Portal that they wished to engage in mediation in advance of their hearing date.

The parties participated in a mediation videoconference on January 29, 2026. 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, and specifically that the tenancy would terminate.

Agreed Facts:

1. The Tenant has been compensated with a cheque equal to one (1) month's rent and has cashed the cheque.
2. The lawful rent is \$3,433.75. It is due on the 1st day of each month.
3. Based on the monthly rent, the daily compensation is \$112.89. This amount is calculated as follows: \$3,433.75 x 12, divided by 365 days.

4. The Landlords collected a rent deposit of \$3,350.00 from the Tenant and this deposit is still being held by the Landlords. The parties agree that the last month's rent deposit will be applied to the last month of the tenancy (March 2026).
5. Interest on the rent deposit, in the amount of \$179.06 is owing to the Tenant for the period from December 1, 2023 to January 29, 2026.
6. The Tenant agrees to pay the lawful monthly rent for February 2026.

On consent of the parties, it is ordered that:

1. The tenancy between the Landlords and the Tenant is terminated. The Tenant must move out of the rental unit on or before March 31, 2026.
2. As of the date of the mediation, the amount of the rent deposit and interest the Landlords owe on the rent deposit is \$3,529.06. However, the Landlords are authorized to deduct from the amount owing to the Tenant \$112.89 per day for compensation for the use of the unit starting January 31, 2026 until the date the Tenant moves out of the unit.
3. The Landlords or the Tenant shall pay to the other any sum of money that is owed as a result of this order.
4. If the unit is not vacated on or before March 31, 2026, then starting April 1, 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 April 1, 2026.

February 6, 2026

Date Issued

Sandra Sabourin

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 October 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.