



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-092502-25

In the matter of: 17 DUNBLAINE AVE
NORTH YORK ON M5M2R6

Between: Highgate Property Investments Inc Landlord

And

Will Fischtein Tenant

Highgate Property Investments Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Will Fischtein (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

Mediation was held on January 27, 2026. The following parties participated in the mediation: The Landlord's representative, Jeff Shabes, and the Tenant, Will Fischtein.

The parties consented to the following order. I was satisfied that the parties understood the consequences of their consent.

Agreed Facts:

1. The Tenant was in possession of the rental unit on the date the application was filed.
2. The Tenant vacated the rental unit on November 30, 2025. Rent arrears are calculated up to the date the Tenant vacated the unit
3. The lawful rent is \$8,910.31. It was due on the 1st day of each month.
4. The rent arrears owing to November 30, 2025 are \$25,551.55.
5. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
6. The Landlord collected a rent deposit of \$8,000.00 from the Tenant and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy terminated.
7. Interest on the rent deposit, in the amount of \$1,277.26 is owing to the Tenant for the period from May 1, 2017 to November 30, 2025.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenant is terminated as of November 30, 2025, the date the Tenant moved out of the rental unit.
2. The Landlord shall waive \$1,460.29 of the rent arrears and the Tenant shall pay to the Landlord **\$15,000.00**, if payment is made on or before **April 27, 2026**. This amount includes rent arrears owing up to the date the Tenant moved out of the rental unit and the cost of filing the application. The rent waiver, rent deposit, and interest the Landlord owes on the rent deposit is deducted from the amount owing by the Tenant. See Schedule 1 for the calculation of the amount owing.
3. If the Tenant does not pay the Landlord the outstanding balance on or before **April 27, 2026**, then the waiver will become null and void and the Tenant shall pay to the Landlord **\$16,460.29**. This amount includes rent arrears owing up to the date the Tenant moved out of the rental unit and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit is deducted from the amount owing by the Tenant. See Schedule 1 for the calculation of the amount owing.
4. If the Tenant does not pay the Landlord the full amount owing on or before April 27, 2026, the Tenant will start to owe interest. This will be simple interest calculated from April 28, 2026 at 4.00% annually on the balance outstanding.

February 9, 2026
Date Issued

Kevin Kordahi
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.

Schedule 1
SUMMARY OF CALCULATIONS

1. Amount the Tenant must pay if payment is made on or before April 27, 2026.

Rent Owing To Move Out Date	\$25,551.55
Application Filing Fee	\$186.00
Less Rent Waiver	- \$1,460.29
Less the amount of the last month's rent deposit	- \$8,000.00
Less the amount of the interest on the last month's rent deposit	- \$1,277.26
Total amount owing to the Landlord	\$15,000.00

2. Amount the Tenant must pay if payment is made after April 27, 2026.

Rent Owing To Move Out Date	\$25,551.55
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$8,000.00
Less the amount of the interest on the last month's rent deposit	- \$1,277.26
Total amount owing to the Landlord	\$16,460.29