



**Order under Section 69 / 89
Residential Tenancies Act, 2006**

File Number: LTB-L-085182-25

In the matter of: 408, 5348 LAKESHORE RD
BURLINGTON ON L7L4Z2

Between: BARNEY RIVER INVESTMENTS LTD. Landlord

And

ARKADIUSZ SAWDARGO Tenant

BARNEY RIVER INVESTMENTS LTD. (the 'Landlord') applied for an order to terminate the tenancy and evict ARKADIUSZ SAWDARGO (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant;
- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has wilfully or negligently caused damage to the premises

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

The Landlord applied for an order requiring the Tenant to pay the Landlord's reasonable out-of-pocket costs the Landlord has incurred or will incur to repair or replace undue damage to property.

This application was scheduled to be heard by videoconference on February 2, 2026.

The Landlord's Legal Representative Geoff Paine and the Tenant attended the hearing.

The parties before the Landlord and Tenant Board consented to the following terms. I was satisfied that the parties understood the terms and consequences and freely agreed to resolve the application.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenant continues if the Tenant meets the conditions set out below.

2. On or before February 20, 2026, the Tenant shall pay to the Landlord \$1,200.00 which represents damage per the originating N5 Notice to End your Tenancy.
3. If the Tenant fails to comply with the conditions set out in paragraph 2 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. As part of the application, the Landlord can also request an order for the damages, and the cost of filing the application.
4. The Landlord waives the \$186.00 cost of filing the application provided the Tenant complies by paying the Landlord \$1,200.00 on or before February 20, 2026.

February 9, 2026
Date Issued

Melinda Jamieson
Hearing 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.