



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-095264-25

In the matter of: A, 387 SOUTHILL DR
KITCHENER ON N2A2R2

Between: Ashley Clemens Landlord
Curtis Clemens

And

Amzad Hanif Tenants
Kerilynn Vandenberg

Ashley Clemens and Curtis Clemens (the 'Landlord') applied for an order to terminate the tenancy and evict Amzad Hanif and Kerilynn Vandenberg (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

The application was scheduled to be heard by videoconference on January 21, 2026. The Landlords Ashley Clemens and Curtis Clemens, the Tenant Kerilynn Vandenberg, and her support person Kitty Piltman participated in mediation. The Tenant also consulted with Tenant Duty Counsel mid-mediation.

The parties reached an agreement and requested an Order on Consent in full and final settlement of the application. I was satisfied that the parties understood the consequences of their consent.

Agreed facts:

1. As of the hearing date, the Tenants were still in possession of the rental unit.
2. The lawful rent is \$2,014.00. It is due on the 1st day of each month.
3. Based on the Monthly rent, the daily rent/compensation is \$66.21. This amount is calculated as follows: $\$2,014.00 \times 12$, divided by 365 days.
4. The Tenants have paid \$350.00 to the Landlords since the application was filed.
5. The rent arrears owing to January 31, 2026, are \$11,296.00.
6. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

7. The Landlords collected a rent deposit of \$1,895.00 from the Tenants and this deposit is still being held by the Landlords. The rent deposit can only be applied to the last rental period of the tenancy if the tenancy is terminated.
8. Interest on the rent deposit, in the amount of \$179.15 is owing to the Tenants for the period from September 13, 2021, to January 21, 2026.

On consent, it is ordered that:

1. The tenancy between the Landlords and the Tenants is terminated unless the Tenants voids this order.
2. **The Tenants may void this order and continue the tenancy by paying to the Landlords or to the LTB in trust:**
 - a. \$11,482.00 if the payment is made on or before January 31, 2026. See Schedule 1 for the calculation of the amount owing.

OR

- b. \$13,496.00 if the payment is made on or before February 28, 2026. See Schedule 1 for the calculation of the amount owing.

OR

- c. \$15,510.00 if the payment is made on or before March 31, 2026. See Schedule 1 for the calculation of the amount owing.

OR

- d. \$17,524.00 if the payment is made on or before April 30, 2026. See Schedule 1 for the calculation of the amount owing.

OR

- e. \$19,538.00 if the payment is made on or before May 31, 2026. See Schedule 1 for the calculation of the amount owing.

3. The Tenants may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenants have paid the full amount owing as ordered plus any additional rent that became due after May 31, 2026, but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenants may only make this motion once during the tenancy.
4. **If the Tenants do not pay the amount required to void this order the Tenants must move out of the rental unit on or before May 31, 2026.**

5. If the Tenants do not void the order, the Tenants shall pay to the Landlords \$8,784.26. 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 Landlords owe on the rent deposit are deducted from the amount owing by the Tenants. See Schedule 1 for the calculation of the amount owing.
6. The Tenants shall also pay the Landlords compensation of \$66.21 per day for the use of the unit starting January 22, 2026, until the date the Tenants move out of the unit.
7. If the Tenants do not pay the Landlords the full amount owing on or before May 31, 2026, the Tenants will start to owe interest. This will be simple interest calculated from June 1, 2026 at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before May 31, 2026, then starting June 1, 2026, the Landlords may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlords on or after June 1, 2026.

Additional conditions

10. Starting February 1, 2026, the Tenants shall pay the lawful monthly rent on or before the first day of each month, until May 31, 2026, or until the arrears are paid in full, whichever date is earliest.
11. If the Tenants fail to make any payment in accordance with paragraph 10 of this order, then the outstanding balance of any arrears of rent and costs to be paid by the Tenants to the Landlords pursuant to paragraph 2 of this order shall become immediately due and owing and the Landlords may, without notice to the Tenants, apply to the LTB within 30 days of the Tenants' breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenants and requiring that the Tenants pay any new arrears of rent, NSF fees and related charges that became owing after **January 31, 2026**. This may result in the Board issuing an order that terminates the tenancy before May 31, 2026.
12. If the Tenants make any additional payments, these payments may reduce the amount required to void the order as set out in paragraph 2 accordingly.

February 3, 2026
Date Issued

Isabelle Bouvier
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 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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before January 31, 2026

Rent Owing To January 31, 2026	\$11,646.00
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$350.00
Total the Tenant must pay to continue the tenancy	\$11,482.00

B. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before February 28, 2026

Rent Owing To February 28, 2026	\$13,660.00
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$350.00
Total the Tenant must pay to continue the tenancy	\$13,496.00

C. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before March 31, 2026

Rent Owing To March 31, 2026	\$15,674.00
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$350.00
Total the Tenant must pay to continue the tenancy	\$15,510.00

D. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before April 30, 2026

Rent Owing To April 30, 2026	\$17,688.00
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$350.00
Total the Tenant must pay to continue the tenancy	\$17,524.00

E. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before May 31, 2026

Rent Owing To May 31, 2026	\$19,702.00
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$350.00
Total the Tenant must pay to continue the tenancy	\$19,538.00

F. Amount the Tenant must pay if the tenancy is terminated

Rent Owing To Hearing Date	\$11,022.41
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$350.00
Less the amount of the last month's rent deposit	- \$1,895.00
Less the amount of the interest on the last month's rent deposit	- \$179.15
Total amount owing to the Landlord	\$8,784.26
Plus daily compensation owing for each day of occupation starting January 22, 2026	\$66.21 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	