



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

File Number: LTB-L-097906-25

In the matter of: TH-406, 2006 SHEPPARD AVE W
Toronto ON M3N1A1

Between: Oakview Heights Landlord

And

Carolyn Banal Tenant
Roy Banal

Oakview Heights (the 'Landlord') applied for an order to terminate the tenancy and evict Carolyn Banal and Roy Banal (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on February 3, 2026. The Landlord's legal representative, Samuel M Korman and the Tenant's legal representative, Maria Elena Tugan were in attendance.

The parties elected to participate in Landlord and Tenant Board (LTB) facilitated mediation with the assistance of Dispute Resolution and Hearings Officer, Sonja Hudson.

At the hearing, the parties consented to the following order.

I was satisfied the parties understood the consequences of their consent.

Agreed Facts:

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. The lawful rent is \$2,488.64. It is due on the 1st day of each month.
3. Based on the lawful monthly rent, the daily rent/compensation is \$81.82. This amount is calculated as follows: \$2,488.64 x 12, divided by 365 days.
4. The rent arrears owing are \$7,405.23 for the period ending February 28, 2026.

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 \$2,366.66 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.
7. Interest on the rent deposit, in the amount of \$517.33 is owing to the Tenant for the period from July 1, 2013, to February 3, 2026.
8. The parties have agreed to an extended standard order of April 15, 2026.

It is ordered on consent that:

1. The Tenant shall pay to the Landlord \$7,591.23, which represents the arrears of rent (\$7,405.23) plus the filing fee (\$186.00) for the period ending February 28, 2026.
2. The tenancy between the Landlord and the Tenant is terminated as of April 15, 2026, unless the Tenant voids this order.
3. **The Tenant may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**
 - \$7,591.23 if the payment is made on or before February 28, 2026. See Schedule 1 for the calculation of the amount owing.

OR

 - \$10,079.87 if the payment is made on or before March 1, 2026. See Schedule 1 for the calculation of the amount owing.

OR

 - \$12,568.51 if the payment is made on or before April 15, 2026. See Schedule 1 for the calculation of the amount owing.
4. The Tenant may also make a motion at the LTB to void this order under section 74(11) of the *Residential Tenancies Act, 2006*, (the 'Act'), if the Tenant has paid the full amount owing as ordered plus any additional rent that became due after April 15, 2026, but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenant may only make this motion once during the tenancy.
5. If the Tenant does not pay the amount required to void this order the Tenant must move out of the rental unit on or before April 15, 2026.
6. If the Tenant does not void the order, the Landlord shall pay to the Tenant \$2,661.74. This amount includes rent arrears owing up to the date of the hearing (February 3, 2026) 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.

7. The Tenant shall also pay the Landlord compensation of \$81.82 per day for the use of the unit starting February 4, 2026, until the date the Tenant moves out of the unit.
8. If the Tenant does not pay the Landlord the full amount owing on or before April 15, 2026, the Tenant will start to owe interest calculated from April 16, 2026, on the balance outstanding. The monies owing shall bear interest at the post-judgment interest rate determined under subsection 207(7) of the *Residential Tenancies Act, 2006*, (the 'Act').
9. If the unit is not vacated on or before April 15, 2026, then starting April 16, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
10. 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 16, 2026.

February 11, 2026

Date Issued

Sonja Hudson

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 Residential Tenancies Act, 2006, (the 'Act'), the part of this order relating to the eviction expires on October 16, 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 February 28, 2026

Rent Owing To February 28, 2026	\$7,405.23
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Total the Tenant must pay to continue the tenancy	\$7,591.23

B. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before March 1, 2026

Rent Owing to March 1, 2026	\$9,893.87
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Total the Tenant must pay to continue the tenancy	\$10,079.87

C. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before April 15, 2026

Rent Owing to April 15, 2026	\$12,382.51
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Total the Tenant must pay to continue the tenancy	\$12,568.51

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

Rent owing to hearing date of February 3, 2026	\$5,359.73
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount of the last month's rent deposit	-\$2,366.66
Less the amount of the interest on the last month's rent deposit	-\$517.33
Total amount owing to the Landlord	\$2,661.74
Plus daily compensation owing for each day of occupation starting February 4, 2026	\$81.82