



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-106826-25

In the matter of: 406, 52 BAYSWATER PL
KINGSTON ON K7M2C2

Between: Osgoode Properties Landlord

And

Rachel Burgman Tenant

Osgoode Properties (the 'Landlord') applied for an order to terminate the tenancy and evict Rachel Burgman (the 'Tenant') because:

- the Tenant has been persistently late in paying the Tenant's rent.

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

The application was heard by videoconference on February 3, 2026. The Landlord's legal representative Anne Skelly, the Tenant, and an occupant of the unit Coady Havens attended the hearing.

Before the start of the hearing, the parties advised that they had reached an agreement. 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 lawful rent is \$2,119.00. It is due on the 1st day of each month.
2. Based on the monthly rent, the daily compensation is \$69.67. This amount is calculated as follows: \$2,119.00 x 12, divided by 365 days.
3. The Landlord collected a rent deposit of \$2,119.00 from the Tenant and this deposit has been applied to the February 2026 rental period.
4. Interest on the rent deposit, in the amount of \$42.38 is owing to the Tenant for the period from January 30, 2025 to January 31, 2026.

5. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
6. The Tenant agrees to deduct the interest owed on the rent deposit by the Landlord from the cost of the application.

On consent of the parties, it is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before February 28, 2026.
2. The Tenant shall pay the Landlord compensation of \$69.67 per day for the use of the unit starting March 1, 2026 until the date the Tenant moves out of the unit.
3. The Tenant shall also pay to the Landlord \$143.62, which represents the remaining balance owing for the cost of filing the application.
4. If the Tenant does not pay the Landlord the full amount owing on or before February 28, 2026, the Tenant will start to owe interest. This will be simple interest calculated from March 1, 2026 at 4.00% annually on the balance outstanding.
5. If the unit is not vacated on or before February 28, 2026, then starting March 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
6. 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 March 1, 2026.

February 11, 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 September 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.