



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

File Number: LTB-L-097495-25

In the matter of: 606, 465 RICHMOND RD
OTTAWA ON K2A 1Z1

Between: Frastell Property Management Inc. Landlord

and

Patrick Joseph Moncrieffe Tenants
Jane Hayward

Frastell Property Management Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Patrick Joseph Moncrieffe and Jane Hayward (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

The Landlord also claimed charges related to NSF cheques.

This application was scheduled for a videoconference hearing on February 9, 2026.

The Landlord's Agent Shelley Bisotell, the Landlord's Representative Faith McGregor, and the Tenants engaged in private settlement discussions on the day of the hearing. Parties reached an agreement and requested an order on consent. The Tenants did not receive legal advice about this application.

I am satisfied that the parties understand the consequences of their consent, including waiving their right to a hearing on this application.

The amount that the Tenants must pay to the Landlord varies from the amount stated on the date of the mediation due to a clerical error as the last month rent deposit and interest on that deposit had not been deducted from the amount owed. No other amounts in this order are affected by this change.

Agreed Facts:

- 1) The application is amended to correct the Landlord's name to Frastell Property Management Inc.
- 2) The current rent increased to \$1,870.62 on December 1, 2025. It is due on the 1st day of each month.
- 3) Based on the Monthly rent, the daily rent/compensation is \$61.50. This amount is calculated as follows: \$1,870.62 x 12 months, divided by 365 days.
- 4) The Tenants have paid \$4,652.00 to the Landlord since the application was filed.
- 5) The rent arrears owing to February 28, 2026 are \$4,738.86.
- 6) The Landlord is entitled to \$40.00 to reimburse the Landlord for administration charges and bank fees the Landlord incurred as a result of 2 cheques given by or on behalf of the Tenants which were returned NSF.
- 7) The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
- 8) The Landlord collected a rent deposit of \$1,825.00 from the Tenants 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.
- 9) Interest on the rent deposit, in the amount of \$4.20 is owing to the Tenants for the period from January 1, 2026 to February 9, 2026.

It is ordered on consent of the parties that:

1. The tenancy between the Landlord and the Tenants is terminated in a non-voidable manner. **The Tenants must move out of the rental unit on or before February 28, 2026.**
2. The Tenants shall pay to the Landlord \$3,135.66. This amount includes rent arrears owing up to February 28, 2026 and the cost of filing the application and unpaid NSF charges. The rent deposit and interest the Landlord owes on the rent deposit are deducted from the amount owing by the Tenants. See Schedule 1 for the calculation of the amount owing.
3. If the Tenants do not pay the Landlord the full amount owing per paragraph 2 of this order on or before February 28, 2026, the Tenants will start to owe interest. This will be simple interest calculated from March 1, 2026 at 4.00% annually on the balance outstanding.
4. 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.
5. 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.

6. If the unit is not vacated on or before February 28, 2026, then the Tenants shall also pay the Landlord compensation of \$61.50 per day for the use of the unit starting March 1, 2026 until the date the Tenants move out of the unit.
7. This order on consent is in full and final settlement of this application.

February 11, 2026
Date Issued

Denise Hannivan
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 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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenants must pay as the tenancy is terminated

Rent Owing to February 28, 2026	\$9,390.86
Application Filing Fee	\$186.00
NSF Charges	\$40.00
Less the amount the Tenants paid to the Landlord since the application was filed	- \$4,652.00
Less the amount of the last month's rent deposit	- \$1,825.00
Less the amount of the interest on the last month's rent deposit	- \$4.20
Total amount owing to the Landlord	\$3,135.66
Plus daily compensation owing for each day of occupation starting March 1, 2026	\$61.50 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	