



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-099458-25

In the matter of: 301, 86 UNION BLVD
KITCHENER ON N2G2K2

Between: The Effort Trust Company Landlord

And

Brendan Daley Tenant

The Effort Trust Company (the 'Landlord') applied for an order to terminate the tenancy and evict Brendan Daley (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The Landlord also claimed charges related to NSF cheques.

The application was scheduled to be heard by video conference on February 10, 2026, at which time the parties elected to participate in Board facilitated mediation with the assistance of Dispute Resolution Officer/Hearings Officer, Sarah Visnovec.

The Landlord's representative, Abdulrahman Asiri, and the Tenant were present. The Tenant declined the opportunity to speak with Tenant Duty Counsel prior to the hearing.

As a result of the mediation, the parties mutually agreed to resolve all matters raised in the application and requested an order on consent, and I am satisfied that the parties understand the consequences of their consent.

Agreed facts:

- a) The tenancy is terminated effective April 15, 2026, with enforcement provisions. This is a final terminated and is non-voidable.
- b) The lawful rent is \$1,655.59. It is due on the 1st day of each month.
- c) Based on the Monthly rent, the daily rent/compensation is \$54.43. This amount is calculated as follows: \$1,655.59 x 12, divided by 365 days.
- d) The Tenant has paid \$1,655.59 to the Landlord since the application was filed.
- e) The rent arrears owing to February 28, 2026 are \$6,520.24.

- f) The Landlord is entitled to \$80.00 to reimburse the Landlord for administration charges as a result of cheques given by or on behalf of the Tenant which were returned NSF.
- g) The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
- h) The Landlord collected a rent deposit of \$1,460.00 from the Tenant and this deposit is still being held by the Landlord.
- i) Interest on the rent deposit, in the amount of \$165.19 is owing to the Tenant for the period from December 1, 2019 to February 10, 2026.
- j) The rent deposit and interest owing on the rent deposit are applied to the arrears of rent because the tenancy is terminated.

On consent, it is ordered that:

- 1. The L1 Application is amended to correct the rental unit address from 301 - 50 Union Blvd to 301 - **86** Union Blvd.
- 2. The tenancy between the Landlord and the Tenant is terminated. **The Tenant must move out of the unit on or before April 15, 2026.**
- 3. The Tenant shall pay to the Landlord \$4,049.76. This amount includes rent arrears owing up to the date of the hearing 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 Tenant. See Schedule 1 for the calculation of the amount owing.
- 4. The Tenant shall also pay the Landlord compensation of \$54.43 per day for the use of the unit starting February 11, 2026 until the date the Tenant moves out of the unit.
- 5. 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. This will be simple interest calculated from April 16, 2026 at 4.00% annually on the balance outstanding.
- 6. 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.
- 7. 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 12, 2026
Date Issued

Sarah Visnovec
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 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 the Landlord

Rent Owing To Hearing Date	\$7,064.54
Application Filing Fee	\$186.00
NSF Charges	\$80.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,655.59
Less the amount of the last month's rent deposit	- \$1,460.00
Less the amount of the interest on the last month's rent deposit	- \$165.19
Total amount owing to the Landlord	\$4,049.76
Plus daily compensation owing for each day of occupation starting February 11, 2026	\$54.43 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	