



**Order under Section 69 / 88.1 / 89  
Residential Tenancies Act, 2006**

**File Number:** LTB-L-082937-25

**In the matter of:** UPPER UNIT, 206 WELLINGTON STREET  
SOUTH  
ST. MARYS ON N4X1C5

**Between:** STONERIVER BEND INC. Landlord

**And**

KELLY BATTEN Tenant

STONERIVER BEND INC. (the 'Landlord') applied for an order to terminate the tenancy and evict KELLY BATTEN (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant; and
- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has wilfully or negligently caused damage to the premises.

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

This application was scheduled to be heard by videoconference on January 13, 2026. Instead, the Landlord's Legal Representative, Nathalie De Rechter, the Landlord, the Tenants Legal Representative, Janet Van Oordt, and the Tenant engaged in private settlement discussions. The parties reached an agreement and requested an order on consent to resolve the application.

I was satisfied that the parties understood the terms and consequences of their consent.

**Agreed Facts:**

1. The tenancy is terminated effective April 30, 2026.
2. The Tenant was in possession of the rental unit on the date the application was filed.
3. The lawful monthly rent is \$2,050.00.
4. The Landlord shall waive the rent for the months of February 2026 and March 2026.
5. The last month's rent deposit will be applied to the month of April 1, 2026.

6. The Landlord has agreed to pay the Tenant the two months' rent as further compensation in exchange for vacant possession of the unit on or before April 30, 2026.

**It is ordered on consent of the parties that:**

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before April 30, 2026.
2. If the unit is not vacated on or before April 30, 2026, then starting May 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
3. 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 May 1, 2026.
4. If the Tenant does not vacate the rental unit on or before April 30, 2026, the Tenant shall owe the Landlords \$67.40 per day starting May 1, 2026 and continuing until the date the Tenant vacates the rental unit.
5. For the remaining period of the tenancy, the Tenant, another occupant of the rental unit or someone the Tenant permits in the residential complex shall not:
  - Smoke in the rental unit; and/or
  - Cause any further damage to the rental unit.
6. The Tenant shall return the unit to a clean condition by April 30, 2026.
7. If the Tenant fails to comply with the conditions set out in paragraphs 5-6 of this order, the Landlord may apply under section 78 of the Residential Tenancies Act, 2006 (the 'Act') for an order terminating the tenancy and evicting the Tenant. The Landlord must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Tenant.
8. This order on consent is in full and final settlement of the application.

**February 12, 2026**  
**Date Issued**

---

Shadiyah Stoute  
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 November 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.

