



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

File Number: LTB-L-097480-25

In the matter of: 2, 15 WAWA STREET
ST THOMAS ON N5R3W8

Between: Carmine Marchese Landlord

And

Joseph Campbell Tenant

Carmine Marchese (the 'Landlord') applied for an order to terminate the tenancy and evict Joseph Campbell (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The application was scheduled to be heard by video conference on February 9, 2026. The Landlord was present and was represented by Nathan Kolomaya. The Tenant was also present. Prior to the hearing, the parties elected to participate in LTB facilitated mediation with the assistance of Helen Giannini, a Dispute Resolution Officer and Hearing Officer, with the Landlord and Tenant Board. 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.

The Parties agreed:

- a. 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.
- b. As of the hearing date, the Tenant was still in possession of the rental unit.
- c. This order is a non-voidable termination of this tenancy based on the parties' mutual agreement to terminate the tenancy by March 31, 2026.
- d. The lawful rent is \$1,475.00. The rent is due on the 7th day of each month.
- e. Based on the Monthly rent, the daily rent/compensation is \$48.49. This amount is calculated as follows: \$1,475.00 x 12, divided by 365 days.
- f. The rent arrears owing by the Tenant up to and including March 6, 2026, including the \$186.00 application filing fee are \$10,001.00.

- g. The Landlord will waive the rent arrears in consideration of the Tenant's agreement to terminate the tenancy and enter into the Consent Order.
- h. The Tenant receives \$585.00 of rental support monthly. In consideration of the Tenant's agreement to terminate the tenancy and enter into this Consent Order, the Landlord will reduce the rent for February and March 2026 to \$585.00 a month. The Tenant will ensure that these payments are provided to the Landlord for the months of February and March 2026.

It is ordered on consent that:

- 1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must vacate the unit no later than March 31, 2026.
- 2. The Landlord waives the rent arrears in the amount of \$10,001.00 in consideration of the Tenant terminating the tenancy on or before March 31, 2026.
- 3. If the Tenant does not vacate the rental unit on or before March 31, 2026, in accordance with this order, the Landlord shall not waive the rent arrears, application fee, and additional rent due for February and March 2026. They will be immediately become due and owing, and the Tenant will start to owe interest. This will be simple interest calculated from April 1, 2026, at 4.00% annually on the balance outstanding.
- 4. The Tenant shall also pay the Landlord compensation of \$48.49 per day for the use of the unit starting April 1, 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 March 31, 2026, the Tenant will start to owe interest. This will be simple interest calculated from April 1, 2026, at 4.00% annually on the balance outstanding.
- 6. If the unit is not vacated on or before March 31, 2026, then starting April 1, 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 1, 2026.

February 20, 2026

Date Issued

Helen Giannini

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 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.