



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

File Number: LTB-L-100315-25

In the matter of: 103, 21 PIONEER DR
KITCHENER ON N2P1H1

Between: Pioneer Apartments (Kitchener) Ltd Landlord

And

Robert Kilgour Tenant

Pioneer Apartments (Kitchener) Ltd (the 'Landlord') applied for an order to terminate the tenancy and evict Robert Kilgour (the 'Tenant') because:

- the Tenant did not pay the rent that the Tenant owes

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

The application was scheduled to be heard on February 19, 2026, by video conference, at which the parties decided to participate in Board facilitated mediation with the assistance of Dispute Resolution Officer/Hearings Officer, Michelle Forrester.

The Landlord's Legal Representative, Emily Barbati, and the Tenant were present.

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

Agreed facts:

1. 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.
2. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$2,150.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$70.68. This amount is calculated as follows: \$2,150.00 x 12, divided by 365 days.

5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to February 28, 2026, are \$8,600.00.
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 \$2,150.00 from the Tenant 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 \$22.64 is owing to the Tenant for the period from August 21, 2025, to February 19, 2026.
10. The parties mutually agreed to amend the application to remove "Darren Head" as a Tenant.
11. The parties mutually agreed to a nonvoidable order with an eviction date of March 9, 2026.

On consent of the parties, it is ordered that:

1. The application shall be amended to remove "Darren Head" as a Tenant.
2. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before March 9, 2026.
3. The Tenant shall pay the Landlord any rent arrears owing up to the date of the hearing and the cost of filing the application. The amount of the rent deposit and interest the Landlord owes on the rent deposit are deducted from the amount owing by the Tenant.
4. As of the date of the hearing, the Tenant owes the Landlord \$5,806.28. See Schedule 1 for the calculation of the amount owing.
5. The Tenant shall also pay the Landlord compensation of \$70.68 per day for the use of the unit starting February 20, 2026, to the date the Tenant moves out of the unit.
6. If the Tenant does not pay the Landlord the full amount owing on or before March 9, 2026, the Tenant will start to owe interest. This will be simple interest calculated from March 10, 2026, at 4.00% annually on the balance outstanding.
7. If the unit is not vacated on or before March 9, 2026, then starting March 10, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
8. 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 10, 2026.

February 25, 2026
Date Issued

Michelle Forrester
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 10, 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 as the tenancy is terminated

Rent Owing To February 19, 2026	\$7,792.92
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	-\$2,150.00
Less the amount of the interest on the last month's rent deposit	-\$22.64
Total amount owing to the Landlord	\$5,806.28
Plus daily compensation owing for each day of occupation starting February 20, 2026	\$70.68 (per day)