



Order under Section 69
Residential Tenancies Act, 2006

File Number: LTB-L-105035-25

In the matter of: FRONT TWO ROOMS, UNIT B UPPER FLOOR
5087 RIVER RD, NIAGARA FALLS, ON, L2E3G7

Between: Vito Cuiello Landlord

and

James Agar Tenant

- [1] Vito Cuiello (the 'Landlord') applied for an order to terminate the tenancy and evict James Agar (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.
- [2] The application was scheduled to be heard by video conference on February 18, 2026. The Landlord was present and represented by licensed paralegal Judith Callender. The Tenant was present and assisted by Mandip Grewal who was Tenant Duty Counsel with Niagara Community Legal Clinic.
- [3] The parties elected to participate in Landlord and Tenant Board ('LTB') facilitated mediation with the assistance of Nick Vescio, a Dispute Resolution Officer and Hearing Officer, with the Landlord and Tenant Board.
- [4] The parties agreed to the following:
 - a. The current monthly rent is \$740.00
 - b. The total arrears outstanding up to February 28, 2026, including the application fee is \$1476.00
 - c. The parties have agreed to a payment plan to pay the arrears and if there is a breach in any of the payments then the Landlord can apply for eviction under s.78 of the Residential Tenancies Act, 2006
- [5] The parties agreed to resolve all the issues in the application and further agreed to the LTB issuing an Order on consent confirming their agreement. I, as Dispute Resolution Officer and Hearing Officer, am satisfied that the parties understood the terms of their consent as set out in the Order below.

On consent, it is ordered that:

1. The Tenant shall pay to the Landlord \$1476.00 which represents arrears of rent owing up to February 28, 2026, including the application filing fee.
2. The Tenant shall make the following payments to the Landlord in respect of the monies owing under paragraph 1 of this order:
 - (a) On or before the 1st of each month commencing on March 01, 2026, the Tenant shall pay the Landlord the regular monthly rent due each month until the arrears are paid in full
 - (b) On or before the 15th of each month commencing on March 15, 2026, the Tenant shall pay the Landlord \$300.00 each month towards the arrears up to and including June 15, 2026
 - (c) On or before July 15, 2026, the Tenant shall pay the Landlord \$276.00 towards the balance of the arrears
3. If the Tenant fails to make any of the payments in accordance with paragraph 2, and by the dates required, then:
 - (a) 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, and for the payment of any new arrears of rent and NSF charges not already ordered under paragraph 1 of this order. The Landlord must make the application within 30 days of a breach of a condition set out in paragraph 2 of this order.
 - (b) The balance owing under paragraph 1 of this order shall become payable on the day following the date of default. The monies owing shall bear interest at the post-judgment interest rate determined under subsection 207(7) of the Act.

February 25, 2026
Date Issued

Nick Vescio
Hearing Officer, Landlord and Tenant Board

Toronto East-RO
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.