



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

File Number: LTB-L-104543-25

In the matter of: 103, 201 LINDSAY ST S
LINDSAY ON K9V 2N2

Between: Lindsay Apartments Inc. Landlord

and

David Frank Schonitz Cargill Tenant

Lindsay Apartments Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict David Frank Schonitz Cargill (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The Landlord also claimed charges related to NSF cheques.

The parties attended a hearing scheduled on February 23, 2026 by videoconference where the parties agreed to participate in Board facilitated mediation with the assistance of Dispute Resolution Officer (DRO) Denise Hannivan.

The Landlord's Agent Stavros Lytis and the Tenant participated in the mediation. The Tenant did not receive legal advice about this application.

As a result of the mediation, the parties requested an order on consent to resolve this application, and I am satisfied that the parties understand the consequences of their consent, including waiving their right to a hearing on both applications.

Agreed Facts:

- 1) There may be an issue with the Landlord's Notice to End Tenancy Early for Non-payment of Rent (N4 Notice) that could affect outcomes at a Merits Hearing, but both parties are aware of this and still wish to move forward with this Order on Consent.
- 2) The current rent is \$1,499.00. It is due on the 1st day of each month.
- 3) The Tenant has paid \$1,499.61 to the Landlord since the application was filed.

- 4) The rent arrears owing to February 28, 2026 are \$4,496.39.
- 5) The Landlord is entitled to \$20.00 each to reimburse the Landlord for administration charges and \$25.00 each for bank fees the Landlord incurred as a result of 3 cheque given by or on behalf of the Tenant which was returned NSF. The total amount of NSF charges is \$135.00.
- 6) The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
- 7) Should the Tenant make any extra payments to the Landlord while the arrears are still outstanding, the Tenant will notify the Landlord in writing how to apply the extra payment (i.e. to the upcoming monthly payment of rent arrears, or to the upcoming regular monthly rent, or to lower the total balance of arrears and decrease the number of arrears payments).

It is ordered on consent of the parties that:

1. The Tenant shall pay to the Landlord \$4,817.39. This amount includes rent arrears owing up to February 28, 2026, the NSF fees, and the cost of filing the application.
2. The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:

Date Payment Due	Amount of Payment
March 31, 2026	\$1,200.00
April 15, 2026	\$300.00
May 15, 2026	\$300.00
June 15, 2026	\$300.00
July 15, 2026	\$300.00
August 15, 2026	\$300.00
September 15, 2026	\$300.00
October 15, 2026	\$300.00
November 15, 2026	\$300.00
December 15, 2026	\$300.00
January 15, 2027	\$300.00
February 15, 2027	\$300.00
March 15, 2027	\$317.39

3. The Tenant shall also pay to the Landlord new rent in full and on time for the period March 1, 2026 to March 1, 2027, or until the arrears are paid in full, whichever date is earliest.
4. If the Tenant fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after February 28, 2026.

5. This order on consent is in full and final settlement of this application.

March 3, 2026

Date Issued

Denise Hannivan

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.