



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-053356-25

In the matter of: 15 EAST BEND AVE N
HAMILTON ON L8L7E1

Between: AMOS WAMBUGU Landlord

And

Michael Smith Tenant

AMOS WAMBUGU (the 'Landlord') applied for an order to terminate the tenancy and evict Michael Smith (the 'Tenant') because the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year.

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 by videoconference on February 24, 2026. The Landlord Amos Wambugu, the Landlord's legal representative Ian Shemesh, the Tenant Michael Smith, the Tenant's legal representative Marcus Morgan, and the Tenant's support person Ali Behnejad, participated in mediation.

The parties reached an agreement and requested an Order on Consent in full and final settlement of the application. I was satisfied that the parties understood the consequences of their consent.

Agreed facts:

1. As of the hearing date, the Tenant was still in possession of the rental unit.
2. The lawful rent is \$1,005.00. It is due on the 1st day of each month.
3. Based on the Monthly rent, the daily rent/compensation is \$33.04. This amount is calculated as follows: \$1,005.00 x 12, divided by 365 days.
4. The rent arrears owing to February 24, 2026, are \$0.00.
5. The Landlord compensated the Tenant in the amount equal to one month's rent.
6. The Landlord collected a rent deposit of \$1,005.00 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 (anticipated: June 2026).

7. The parties agree to terminate this tenancy on consent on June 30, 2026.
8. The Tenant may terminate this tenancy earlier than June 30, 2026, by providing the Landlord a 10-day written notice.

On consent it is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before June 30, 2026.
2. The Landlord waives the rent for the months of March, April, and May 2026.
3. The Landlord shall pay to the Tenant \$2,000.00 on or before March 15, 2026.
4. Should the Tenant vacate the rental unit before June 30, 2026, the Landlord shall pay to the Tenant \$33.04 per day starting the day the Tenant vacated the unit, up to June 30, 2026. This amount is payable no later than 15 days after the date the Tenant vacates the rental unit.
5. Should the Landlord fail to make the above-said payments per paragraphs 3 and/or 4 in full and on time, the entire remaining outstanding balance shall become due and payable forthwith under this order. The Landlord will start to owe simple interest calculated at 4.00% annually on the balance outstanding starting on the date the amount was due. The Tenant has the right to collect the balance outstanding under this order on consent.
6. If the unit is not vacated on or before June 30, 2026, then starting July 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 July 1, 2026.
8. The Tenant shall also pay the Landlord compensation of \$33.04 per day for the use of the unit starting July 1, 2026, to the date the Tenant moves out of the unit.

February 25, 2026
Date Issued

Isabelle Bouvier
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 January 1, 2027 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.