



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-003648-26

In the matter of: BASEMENT UNIT, 4114 CLEVEDON DR
MISSISSAUGA ON L4Z1J5

Between: Jason Fonseca Landlord

And

Lydia Murij Tenant

Jason Fonseca (the 'Landlord') applied for an order to terminate the tenancy and evict Lydia Murij (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant

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

This application was scheduled to be heard by videoconference on March 9, 2026. On that date the parties agreed to participate in Board facilitated mediation with the assistance of Dispute Resolution Officer (DRO) Rachael Kukoyi.

The Landlord's Representative, Maria Sturino, and the Tenant, Lydia Murij, participated in the mediation.

As a result of the mediation the parties requested a consent order, and I am satisfied that the parties understand the consequences of their consent.

The Parties Agreed That:

1. The Tenant was in possession of the rental unit on the date the application was filed.
2. Based on the monthly rent, the daily compensation is \$39.24. This amount is calculated as follows: \$1,193.49 x 12, divided by 365 days.
3. The Landlord agreed to waive the incurred costs of \$186.00 for filing the application.

4. The Landlord collected a rent deposit of \$1,000.00 from the Tenant and this deposit is still being held by the Landlord. Interest on the rent deposit, in the amount of \$343.59 is owing to the Tenant for the period from February 1, 2007, to March 9, 2026. This will be applied to July 2026's rent.
5. The outstanding balance of \$149.51 from the interest on rent deposit, will be applied to June 2026 rent. The Tenant will be required to pay the sum of 1,043.98 on or before June 1, 2026, for June's rent.
6. The Parties agreed that the rent for April and May 2026 will be paid on the 1st day of each month.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenant is terminated as of July 31, 2026.
2. If the unit is not vacated on or before July 31, 2026, then starting August 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
3. 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 August 1, 2026.
4. The Tenant shall also pay the Landlord compensation of \$39.24 per day for the use of the unit starting August 1, 2026, until the date the Tenant moves out of the unit.
5. If the Tenant does not pay the Landlord the daily compensation owing with respect to paragraph 4, the Tenant will start to owe simple interest calculated at 4.00% annually on the balance outstanding.

Additional Terms

6. For a period of March 9, 2026, up until July 31, 2026, The Tenant shall refrain from all forms of smoking around the rental unit and/or the residential complex. The Tenant shall smoke at least 6 feet away from the residential complex.
7. If the Tenant fails to comply with the conditions set out in paragraph 6 of this order, 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. The Landlord must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Tenant. This may result in the Board issuing an order that terminates the tenancy before July 31, 2026.

March 11, 2026
Date Issued

Rachael Kukoyi
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 February 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.