



**Order under Section 94.7
Residential Tenancies Act, 2006**

File Number: LTB-C-009152-26

In the matter of: 401, 233 ALBERT ST
OSHAWA ON L1H 8P3

Between: Oshawa Creek Co-operative Homes Inc. Co-op

and

Richard Short Co-op Members
Ray York

Oshawa Creek Co-operative Homes Inc. (the 'Co-op') applied for an order to end the occupancy of the member unit and evict Richard Short and Ray York (the 'Co-op Members') because:

- C1 Application – the Co-op Members did not pay the regular monthly housing charges that the Co-op Members owe, and;
- C2 Application – the Co-op Members were persistently late in paying the regular monthly housing charges that the Co-op Members owe.

The Co-op also claimed compensation for each day the Co-op Members remained in the unit after the termination date.

A Case Management Hearing was held on March 12, 2026 via videoconference.

Legal Representative Sara Murtadha attended for the Co-op. Co-op Member Richard Short also attended the hearing.

As a result of the Case Management Hearing, the parties requested an order on consent.

Member Richard Short did not receive legal advice about this application.

I am satisfied that the parties understand the consequences of their consent, including waiving their right to a merits hearing on this application.

Agreed Facts:

- 1) Member Richard Short stated that Member Ray York passed away February 27, 2025.
- 2) As of the hearing date, the Co-op Members were still in possession of the member unit.

- 3) The regular monthly housing charge is \$1,511.00. It is due on the 1st day of each month.
- 4) Based on the regular monthly housing charges, the daily compensation is \$49.68. This amount is calculated as follows: monthly regular monthly housing charges x 12 months, divided by 365 days.
- 5) The Co-op Members have not made any payments since the application was filed.
- 6) The regular monthly housing charges owing to March 31, 2026 are \$13,599.00.
- 7) The Co-op Members are owed \$1,511.00 for refundable deposits held by the Co-op for the last month of occupancy. The total refundable deposit is set off against the amount the Co-op Members owe if the occupancy terminates.
- 8) The Co-op incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered on consent of the parties that:

C1 Application

1. The Co-op Members' occupancy is terminated unless the Co-op Members void this order.
2. **The Co-op Members may void this order and continue the occupancy by paying to Co-op or to the LTB in trust:**
 - \$13,785.00 if the payment is made on or before March 31, 2026. See Schedule 1 for the calculation of the amount owing;

OR

 - \$15,296.00 if the payment is made on or before April 30, 2026. See Schedule 1 for the calculation of the amount owing.
3. The Co-op Members may also make a motion at the LTB to void this order under section 74(11) and 94.16(2)(b) of the Act, if the Co-op Members have paid the full amount owing as ordered plus any additional regular monthly housing charges that became due after April 30, 2026 but before the Court Enforcement Office (Sheriff) enforces the eviction. The Co-op Members may only make this motion once during the occupancy agreement with the Co-op.
4. **If the Co-op Members do not pay the amount required to void this order, the Co-op Members must move out of the member unit on or before April 30, 2026.**
5. If the Co-op Members do not void the order, the Co-op Members owe the Co-op \$11,359.16. This amount includes arrears of regular monthly housing charges owing up to the date of the hearing of March 12, 2026 and the cost of filing the application. Any refundable deposits are deducted from the amount owing by the Co-op Members. See Schedule 1 for the calculation of the amount owing.

6. The Co-op Members shall also pay the Co-op compensation of \$49.68 per day for the use of the unit starting March 13, 2026 until the date the Co-op Members move out of the unit.
7. If the Co-op Members do not pay the Co-op the full amount owing on or before April 30, 2026, the Co-op Members will start to owe interest. This will be simple interest calculated from May 1, 2026 at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before April 30, 2026, then starting May 1, 2026, the Co-op may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Co-op on or after May 1, 2026.

C2 Application

10. If the Co-op Members void the C1 portion of this order and the tenancy continues, the Co-op Members shall pay to the Co-op the regular monthly housing charges in full and on time for the 12 month period May 1, 2026 to April 1, 2027.
11. If the Co-op Members fail to comply with the conditions set out in paragraph 10 of this order, the Co-op may apply under section 94.11 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the occupancy and evicting the Co-op Members. The Co-op must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Co-op Members.
12. This order is in full and final settlement of these applications.

March 16, 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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on September 28, 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 Co-op Members must pay to void the eviction order and continue the occupancy if the payment is made on or before March 31, 2026

Regular Monthly Housing Charges Owing to March 31, 2026	\$13,599.00
Total Other Housing Charges	\$0.00
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Total the Co-op Members must pay to continue the occupancy	\$13,785.00

B. Amount the Co-op Members must pay to void the eviction order and continue the occupancy if the payment is made on or before April 30, 2026

Regular Monthly Housing Charges Owing to April 30, 2026	\$15,110.00
Total Other Housing Charges	\$0.00
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Total the Co-op Members must pay to continue the occupancy	\$15,296.00

C. Amount the Co-op Members must pay if the occupancy is terminated

Regular Monthly Housing Charges Owing to Hearing Date of March 12, 2026	\$12,684.16
Total Other Housing Charges	\$0.00
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount of refundable deposits	- \$1,511.00
Total amount owing to the Co-op	\$11,359.16
Plus daily compensation owing for each day of occupation starting March 13, 2026	\$49.68 (per day)

