



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-008357-26

In the matter of: 4904 Flynn Court
Niagara Falls ON L2E3Z6

Between: Douglas Down Landlord

And

Marion Hitchcock Tenant

Douglas Down (the 'Landlord') applied for an order to terminate the tenancy and evict Marion Hitchcock (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was mediated by videoconference on March 10, 2026.

The Landlord attended with Legal Representative, Elina Vasilieva. The Tenant was self-represented and did not speak with Tenant Duty Counsel prior to the mediation. The Tenant's support person, Amanda Crown, also attended.

The parties elected to participate in LTB-facilitated mediation with the assistance of Angela McLaughlin, a Dispute Resolution Officer and Hearings Officer with the Landlord and Tenant Board.

The parties agree to the following:

1. The parties agree to a final, non-voidable eviction order with an eviction date of April 15, 2026. The application is amended to include an L3 application based on the parties' agreement to terminate the tenancy. As a consequence, the Tenant does not have the option to void the eviction order under subsections 74(4) or 74(11) of the *Residential Tenancies Act, 2006* (the 'Act') by paying the outstanding rent arrears.
2. The lawful monthly rent is \$950.00. It is due on the 1st day of each month.
3. The total amount the Tenant owes to the Landlord is \$8,865.00 including arrears of rent (\$8,664.00) and costs (\$201.00) up to March 31, 2026.
4. The Landlord is not holding a last month's rent deposit.

On consent, it is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated and the Tenant must move out of the rental unit on or before April 15, 2026.

2. If the unit is not vacated on or before April 15, 2026, then starting April 16, 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 April 16, 2026.
4. If the Tenant vacates the rental unit on or before April 15, 2026:
 - the Landlord shall waive \$3,264.00 of the rent arrears;
 - the Landlord shall waive the rent for the period April 1, 2026 to April 15, 2026; and
 - the Tenant shall pay to the Landlord is \$5,601.00 representing arrears of rent (\$5,400.00) plus the application filing fee (\$201.00).
5. If the Tenant does not vacate the rental unit on or before April 15, 2026, the Tenant shall pay the Landlord \$9,340.00:
 - \$8,865.00 – rent arrears up to March 31, 2026;
 - \$201.00 application filing fee; and
 - \$475.00 – rent for April 1, 2026-April 15, 2026.
6. If the Tenant does not pay the Landlord the full amount owing on or before April 15, 2026, the Tenant will start to owe interest. This will be simple interest calculated from April 16, 2026 at 4.00% annually on the balance outstanding.
7. If the Tenant does not vacate the rental unit on or before April 15, 2026, the Tenant shall also pay the Landlord compensation of \$31.23 per day starting April 16, 2026 and continuing until the date the Tenant vacates the rental unit.

March 19, 2026
Date Issued

Angela McLaughlin
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 October 16, 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.