



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-108463-25

In the matter of: back, upper unit, 4270 HOWARD PL
WINDSOR ON N9G1P3

Between: Maria Habib Landlord
Zain Habib

And

Randal Allen Mallat Tenant
Monica Anne Weinz

Maria Habib and Zain Habib (the 'Landlords') applied for an order to terminate the tenancy and evict Randal Allen Mallat and Monica Anne Weinz (the 'Tenants') because the Tenant did not pay the rent that the Tenant owes.

The application was scheduled to be heard on March 12, 2026, by video conference, at which the parties decided to participate in Board-facilitated mediation with the assistance of Dispute Resolution Officer/Hearings Officer, Michelle Forrester.

The Landlords, the Landlord's Representative, Daniel Habib, and the Tenant, Monica Anne Weinz, on behalf of both Tenants, were present.

As a result of the mediation, the parties mutually agreed to resolve all matters at issue in the application and requested an order on consent, and I am satisfied that the parties understand the consequences of their consent.

Agreed facts:

1. The Landlords served the Tenant with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the N4 Notice or before the date the application was filed.
2. As of the hearing date, the Tenants was still in possession of the rental unit.
3. The lawful rent is \$2,350.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$77.26. This amount is calculated as follows: \$2,350.00 x 12, divided by 365 days.

5. The Tenants have not made any payments since the application was filed.
6. The rent arrears owing to March 31, 2026, are \$19,950.00.
7. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlords collected a rent deposit of \$2,350.00 from the Tenants and this deposit is still being held by the Landlords. The rent deposit can only be applied to the last rental period of the tenancy if the tenancy is terminated.
9. Interest on the rent deposit, in the amount of \$133.86 is owing to the Tenants for the period from November 12, 2023, to March 12, 2026.

On consent of the parties, it is ordered that:

1. The tenancy between the Landlords and the Tenants is terminated unless the Tenant voids this order.
2. **The Tenants may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**
 - \$20,136.00 if the payment is made on or before March 31, 2026. See Schedule 1 for the calculation of the amount owing.
3. The Tenants may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenants have paid the full amount owing as ordered plus any additional rent that became due after March 31, 2026, but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenants may only make this motion once during the tenancy.
4. **If the Tenants does not pay the amount required to void this order the Tenants must move out of the rental unit on or before March 31, 2026.**
5. If the Tenants does not void the order, the Tenants shall pay to the Landlord \$17,652.14. This amount includes rent arrears owing up to March 31, 2026 and the cost of filing the application. The rent deposit and interest the Landlords owes on the rent deposit are deducted from the amount owing by the Tenants. See Schedule 1 for the calculation of the amount owing.
6. The Tenants shall also pay the Landlords compensation of \$77.26 per day for the use of the unit starting March 13, 2026, until the date the Tenants moves out of the unit.
7. If the Tenants do not pay the Landlords the full amount owing on or before March 31, 2026, the Tenants will start to owe interest. This will be simple interest calculated from April 1, 2026, at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before March 31, 2026, then starting April 1, 2026, the Landlords 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 Landlords on or after April 1, 2026.

March 24, 2026
Date Issued

Michelle Forrester
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 1, 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 Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before March 31, 2026

Rent Owing To March 31, 2026	\$19,950.00
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$20,136.00

B. Amount the Tenant must pay if the tenancy is terminated

Rent Owing To Hearing Date	\$19,950.00
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$2,350.00
Less the amount of the interest on the last month's rent deposit	- \$133.86
Total amount owing to the Landlord	\$17,652.14
Plus daily compensation owing for each day of occupation starting April 1, 2026	\$77.26 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	