



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-105064-25

In the matter of: 807, 361 THE WEST MALL
ETOBICOKE ON M9C1E8

Between: WESTMALL INVESTMENTS Landlord

And

Ezgi Mert Tenants
Remziye Aksoy

WESTMALL INVESTMENTS (the 'Landlord') applied for an order to terminate the tenancy and evict Ezgi Mert and Remziye Aksoy (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

The parties attended a hearing on February 23, 2026, by video conference, to which the parties elected to participate in Board facilitated mediation with the assistance of Dispute Resolution Officer (DRO) Roxanne Theriault.

The Landlord's Agent, Charles Berman and the Tenants' Agent Diana Arzu Seyhan were present.

As a result of the resolution discussion, the parties mutually agreed to resolve all matters at issue in the application and requested an order on consent. I was satisfied that the parties understood the terms and consequences of their consent.

The parties agreed that:

1. The Landlord served the Tenants with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenants 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 were still in possession of the rental unit.
3. The lawful rent is \$1,852.67. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$60.91. This amount is calculated as follows: \$1,852.67 x 12, divided by 365 days.
5. The Tenants has paid \$500.00 to the Landlord since the application was filed.
6. The rent arrears owing to February 28, 2026, are \$6,633.99.

7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord collected a rent deposit of \$1,700.00 from the Tenants 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.
9. Interest on the rent deposit, in the amount of \$177.14 is owing to the Tenants for the period from May 1, 2021, to February 23, 2026.
10. The parties agreed to a final, non-voidable termination of this tenancy as of April 30, 2026. As such, the Tenants do not have the option to void the eviction order by paying the outstanding rent arrears.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenants .The Tenants must move out of the rental unit on or before April 30, 2026.
2. The Tenants shall pay to the Landlord \$4,491.11. This amount includes rent arrears owing to the date of the hearing and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit are deducted from the amount owing by the Tenants. See Schedule 1 for the calculation of the amount owing.
3. The Tenants shall also pay the Landlord compensation of \$60.91 per day for the use of the unit starting February 24, 2026, until the date the Tenants moves out of the unit.
4. If the Tenants do not pay the Landlord the full amount owing on or before April 30, 2026, the Tenants will start to owe interest. This will be simple interest calculated from May 1, 2026, at 4.00% annually on the outstanding balance.
5. If the unit is not vacated on or before April 30, 2026, then starting May 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
6. 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 May 1, 2026.

March 20, 2026
Date Issued

Roxanne Theriault
Hearings Officer, Landlord and Tenants 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 November 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 Tenants must pay as the tenancy is terminated

Rent Owing To Hearing Date	\$6,682.25
Application Filing Fee	\$186.00
Less the amount the Tenants paid to the Landlord since the application was filed	- \$500.00
Less the amount of the last month's rent deposit	- \$1,700.00
Less the amount of the interest on the last month's rent deposit	- \$177.14
Total amount owing to the Landlord	\$4,491.11
Plus daily compensation owing for each day of occupation starting <u>February 24, 2026</u>	\$60.91 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	