



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-004127-26

In the matter of: Basement, 589 ARNHEM DR
OSHAWA ON L1G 2J7

Between: John Bahnan
Jessy Rayan Landlord

And

Kendall Nicole Capes
Jonathon Murray Tenants

John Bahnan and Jessy Rayan (the 'Landlord') applied for an order to terminate the tenancy and evict Kendall Nicole Capes and Jonathon Murray (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was scheduled for a merits hearing, via video conference, on March 19, 2026 and was mediated by Susan Parsons, a Dispute Resolution Officer/Hearings Officer with the Landlord and Tenant Board. Kendall Nicole Capes attended on behalf of the Tenants. The Landlord and the Landlord's Legal Representative, Sean O'Connor, also participated.

The parties agreed to resolve the issues in the Landlord's application and requested the LTB to issue a Consent Order confirming their agreement.

I was satisfied that the parties understood the consequences of the Consent.

On consent of the parties, it is ordered that:

1. The tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before June 30, 2026;
2. **If the unit is not vacated on or before June 30, 2026, then starting July 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 July 1, 2026;**
4. If the rental unit has not been vacated on or before June 30, 2026, the Landlord may also collect a per diem rate of \$63.78 (based on \$1 940.00 per month X 12 months / 365 days) for use of the unit starting July 1, 2026 to the day the Tenants vacate the unit;

5. The last month's rent deposit shall be applied to the period June 1 - 30, 2026;
6. The Tenants shall pay to the Landlord \$9 886.00, representing the rent arrears up to and including March 31, 2026 and the \$186.00 application filing fee. This amount is due and payable on or before June 30, 2026;
7. On or before April 1, 2026, the Tenants shall pay an agreed-to lowered monthly rent in the amount of \$1 200.00. If and when there is a breach to this payment, then this amount shall be added to the total amount owing and will become due and payable on or before June 30, 2026;
8. On or before May 1, 2026, the Tenants shall pay an agreed-to lowered monthly rent in the amount of \$1 200.00. If and when there is a breach to this payment, then this amount shall be added to the total amount owing and will become due and payable on or before June 30, 2026;
9. Simple Interest will be calculated (Courts of Justice Act) on any balance outstanding commencing July 1, 2026.
10. With fourteen (14) days written notice to the Landlord, the Tenants may terminate this tenancy prior to June 30, 2026 and the last month's rent deposit shall be applied accordingly.

March 26, 2026
Date Issued

Susan Parsons
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 January 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.