



**Order under Section 78(11)
Residential Tenancies Act, 2006**

File Number: LTB-L-011198-26-SA

In the matter of: 306, 839 TALWOOD DR
PETERBOROUGH ON K9J 7M6

Between: MacPherson Realty Landlord

and

Krystina McMillan Tenant

MacPherson Realty (the 'Landlord') applied for an order to terminate the tenancy and evict Krystina McMillan (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the mediated settlement signed by the parties on December 19, 2025 with respect to application LTB-L-082460-25.

The Landlord's application was resolved by order LTB-L-011198-26 issued on February 10, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-011198-26.

This motion was scheduled to be heard by videoconference on March 23, 2026. Before the start of the hearing, the parties engaged in private settlement discussions and advised that they had reached a settlement to resolve all matters at issue in the Tenant's motion. They requested an order on consent. The matter was referred to Dispute Resolution Officer (DRO) Denise Hannivan to assist in finalizing the terms and issuing the requested order.

The Landlord's Representative Crystal Francey and the Tenant were present. The Tenant received legal advice about this application prior to the mediation.

Upon reviewing the terms of the consent with the parties, I was satisfied that the parties understood the terms and consequences of their consent.

Agreed Facts:

- 1) The Landlord consents to the Tenant's motion to set aside LTB-L-011198-26. The original Order LTB-L-082460-25 will be replaced with this order that terminates the tenancy and requires the Tenant to move out by March 31, 2026
- 2) The current rent is \$1,276.00. It is due on the 1st day of each month.
- 3) Based on the Monthly rent, the daily rent/compensation is \$41.95. This amount is calculated as follows: \$1,276.00 x 12 months, divided by 365 days.
- 4) The rent arrears owing to March 31, 2026 are \$1,695.00.
- 5) The Landlord is still owed \$186.00 for filing the original L1 application and is entitled to reimbursement of those costs.
- 6) The Landlord collected a last month rent deposit of \$1,276.00 from the Tenant and this deposit is still being held by the Landlord. This deposit shall only be applied to the last month of the tenancy, which is March 2026 as the tenancy is terminating.
- 7) Interest on the last month rent deposit in the amount of \$6.02 is owed to the Tenant for the period January 1, 2026 to March 23, 2026.
- 8) The Tenant will only owe rent up until the date that the unit is vacated. Any amount that the Tenant overpays may be applied to the rent arrears, if any are still owing at that time, using the daily compensation amount in paragraph 3) of the Agreed Facts.
- 9) This tenancy is terminated in a non-voidable manner.

It is ordered on consent of the parties that:

1. The motion to set aside Order LTB-L-011198-26 issued on February 10, 2026 is granted.
2. Order LTB-L-011198-26 issued on February 10, 2026 is set aside and cannot be enforced.
3. This Order on Consent replaces Order LTB-L-082460-25 issued on December 19, 2025.
4. The tenancy between the Landlord and the Tenant is terminated. **The Tenant shall vacate the unit on or before March 31, 2026.**
5. If the unit is not vacated on or before March 31, 2026, then starting April 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 April 1, 2026.
7. The Tenant shall pay to the Landlord \$598.98 for the rent arrears owing to March 31, 2026 and the Landlord's filing fee. The Tenant's rent deposit and interest owing on the rent

deposit have been deducted from the amount owing to the Landlord. See Schedule 1 for the calculation of the amount owing.

8. The Tenant shall pay to the Landlord the amount set out in paragraph 7 in accordance with the following schedule:

Date Payment Due	Amount of Payment
April 9, 2026	\$50.00
April 23, 2026	\$50.00
May 7, 2026	\$50.00
May 21, 2026	\$50.00
June 4, 2026	\$50.00
June 18, 2026	\$50.00
July 2, 2026	\$50.00
July 16, 2026	\$50.00
July 30, 2026	\$50.00
August 13, 2026	\$50.00
August 27, 2026	\$50.00
September 17, 2026	\$48.98

9. The Tenant shall also pay to the Landlord \$41.95 per day for compensation for the use of the unit starting April 1, 2026 to the date the Tenant moves out of the unit.
10. Should the Tenant fail to make any of the payments as listed in this order, in full and on time while any arrears are outstanding, the entire remaining outstanding balance shall become due and payable starting the day after the first payment was missed. The Tenant will start to owe simple interest calculated at 4.00% annually on the balance outstanding, also starting the day after the first payment was missed.
11. This order on consent is in full and final settlement of this application.

March 26, 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 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 as the tenancy is terminated

Rent Owing to March 31, 2026	\$1,695.00
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,276.00
Less the amount of the interest on the last month's rent deposit	- \$6.02
Total amount owing to the Landlord to March 31, 2026	\$598.98
Plus daily compensation owing for each day of occupation starting April 1, 2026	\$41.95 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	