



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

File Number: LTB-L-000912-26

In the matter of: 309, 77 DAVISVILLE AVE
TORONTO ON M4S1E8

Between: OEF DAVISVILLE L.P. Landlord

And

ZACHARY MARSHALL Tenant
BRODY MARSHALL

OEF DAVISVILLE L.P. (the 'Landlord') applied for an order to terminate the tenancy and evict ZACHARY MARSHALL and BRODY MARSHALL (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was to be heard by videoconference on March 23, 2026. The Landlord's representative, Jason Paine, the Tenants ZACHARY MARSHALL and BRODY MARSHALL, and the Tenants' support person, John Raffay attended the hearing. The Tenants did not speak with Tenant Duty Counsel before the start of mediation.

The parties elected to participate in Board facilitated mediation with the assistance of Dispute Resolution Officer (DRO) John Russett. 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.

The parties agree that:

1. As of the hearing date, the Tenant was still in possession of the rental unit.
2. The lawful rent is \$2,293.77. It is due on the 1st day of each month.
3. The parties requested a non-voidable eviction order with an eviction date April 15, 2026.
4. Based on the Monthly rent, the daily rent/compensation is \$75.41. This amount is calculated as follows: \$2,293.77 x 12, divided by 365 days.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to March 31, 2026 are \$27,413.36.

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 \$2,237.83 from the Tenant 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 \$208.39 is owing to the Tenant for the period from May 13, 2022 to March 23, 2026.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenant is terminated.
2. The Tenant shall also pay the Landlord compensation of \$75.41 per day for the use of the unit starting March 24, 2026 until the date the Tenant moves out of the unit.
3. 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.
4. 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.
5. 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.

March 30, 2026
Date Issued

John Russett
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.

Amount the Tenant must pay the tenancy is terminated

Rent Owing To Hearing Date	\$26,854.02
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$2,237.83
Less the amount of the interest on the last month's rent deposit	- \$208.39
Total amount owing to the Landlord	\$24,593.80
Plus daily compensation owing for each day of occupation starting March 24, 2026	\$75.41 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	