



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

File Number: LTB-L-003608-26

In the matter of: 15 Heron
Manitouwadge ON P0T1C0

Between: Albert Hamilton Landlord

And

John Mastrotuccia Tenant
Pagasa Pangilinan

Albert Hamilton (the 'Landlord') applied for an order to terminate the tenancy and evict John Mastrotuccia and Pagasa Pangilinan (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The application was scheduled to be heard by video conference on March 26, 2026. Maurice Hamilton attended on behalf of the Landlord. Legal Representative, Molly MacDonald attended on behalf of the Tenant. Prior to the hearing, the parties elected to participate in LTB facilitated mediation with the assistance of Helen Giannini, a Dispute Resolution Officer and Hearing Officer, with the Landlord and Tenant Board. 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:

- a. The Tenant John Mastrotuccia has passed away.
- b. The Landlord 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.
- c. As of the hearing date, the Tenant was still in possession of the rental unit.
- d. This order is a non-voidable termination of this tenancy based on the parties' mutual agreement to terminate the tenancy by March 31, 2026.
- e. The lawful rent is \$1,300.00. The rent is due on the 1st day of each month.
- f. Based on the Monthly rent, the daily rent/compensation is \$42.74. This amount is calculated as follows: \$1,300.00 x 12, divided by 365 days.

- g. The rent arrears owing by the Tenant up to and including March 31, 2026, including the \$186.00 application filing fee are \$9,286.00.
- h. There is no last month's rent deposit.

It is ordered on consent that:

1. The Tenant shall pay to the Landlord \$9,286.00 for arrears of rent up to March 31, 2026, including the application filing fee.
2. The tenancy between the Landlord and the Tenant is terminated. The Tenant must vacate the unit no later than March 31, 2026.
3. The Tenant shall also pay the Landlord compensation of \$42.74 per day for the use of the unit starting April 1, 2026, until the date the Tenant moves out of the unit.
4. If the Tenant does not pay the Landlord the full amount owing on or before March 31, 2026, the Tenant will start to owe interest. This will be simple interest calculated from April 1, 2026, at 4.00% annually on the balance outstanding.
5. The Landlord has the right, at any time, to collect the full amount owing or any balance outstanding under this order
6. 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.
7. 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.

April 2, 2026
Date Issued

Helen Giannini
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.