



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-006706-26

In the matter of: GV5, 105 HARRISON GARDEN BLVD
NORTH YORK ON M2N0C3

Between: K7G Oakburn Apartments I Ltd. Landlord

And

Malbi Alvarez Tenants
Arturo Daly

K7G Oakburn Apartments I Ltd. (the 'Landlord') applied for an order to terminate the tenancy and evict Malbi Alvarez and Arturo Daly (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

Mediation was held on April 1, 2026. The following parties participated in the mediation: The Landlord's representative, Marie Galevski, and the Tenants, Arturo Daly and Malbi Alvarez.

The parties consented to the following order. I was satisfied that the parties understood the consequences of their consent.

Agreed Facts:

1. The Landlord served the Tenants with a valid 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 \$3,900.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$128.22. This amount is calculated as follows: \$3,900.00 x 12, divided by 365 days.
5. The rent arrears owing to April 30, 2026 are \$13,400.00
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

7. The Landlord collected a rent deposit of \$3,900.00 from the Tenants and this deposit is still being held by the Landlord. The rent deposit will be applied to the month of May, 2026 which is the last month of this tenancy.
8. Interest on the rent deposit, in the amount of \$20.42 is owing to the Tenant for the period from January 1, 2026 to April 30, 2026. This amount will be applied to the balance of arrears owing on May 31, 2026.
9. This Order on Consent represents a final, non-voidable termination of this tenancy.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before May 31, 2026.
2. If the unit is not vacated on or before May 31, 2026, the Tenants shall pay the Landlord compensation of \$128.22 per day for the use of the unit starting June 1, 2026, until the date the Tenants move out of the unit.
3. If the unit is not vacated on or before May 31, 2026, then starting June 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
4. 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 June 1, 2026.
5. The Tenants shall pay to the Landlord **\$13,565.58** which represents the arrears of rent (\$13,400.00) plus costs (\$186.00) less interest owing on the rent deposit for the period ending April 30, 2026.
6. The Tenants shall pay to the Landlord the amount set out in paragraph 5 in accordance with the following schedule:
 - \$7,000.00 on or before April 7, 2026; and
 - \$6,565.58 on or before May 31, 2026.
7. If the Tenants fail to make any one of the payments in accordance with this order, the outstanding balance to be paid by the Tenants to the Landlord pursuant to paragraph 5 of this order shall become payable on the day following the date of default. The monies owing shall bear interest at the post-judgement interest rate determined under subsection 207(7) of the Residential Tenancies Act, 2006. The Landlord has the right to collect the balance outstanding under this Order.
8. This Order on Consent is in full and final settlement of this application.

April 8, 2026
Date Issued

Ryan Gacnik
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 December 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.