



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-018768-25

In the matter of: 3300 LAKE SHORE BLVD W
ETOBICOKE ON M8V1M4

Between: Maria Adriaio Landlord

And

David Benitez Tenant

Maria Adriaio (the 'Landlord') applied for an order to terminate the tenancy and evict David Benitez (the 'Tenant') because:

- the Tenant did not pay the rent that the Tenant owes (L1 Application); and
- the Tenant has been persistently late in paying the Tenant's rent; (L2 Application).

The application was scheduled to be heard by videoconference on January 26, 2026. The Landlord's agent Frank Adriaio and the Tenant David Benitez participated in mediation.

The parties reached an agreement and requested an Order on Consent in full and final settlement of the application. I was satisfied that the parties understood the consequences of their consent.

Agreed facts:

1. As of the hearing date, the Tenant was still in possession of the rental unit.
2. The lawful rent is \$950.00. It is due on the first day of each month.
3. Based on the Monthly rent, the daily rent/compensation is \$31.23. This amount is calculated as follows: \$950.00 x 12, divided by 365 days.
4. The Landlord will compensate the Tenant in the amount of \$8,000.00 on or before January 31, 2026. The Landlord will contact the Tenant once the certified cheque is ready. It is the Tenant's responsibility to retrieve the payment.
5. Once the payment from the Landlord to the Tenant is made, the tenancy will terminate on February 28, 2026.
6. This agreement resolves all rental arrear issues up to February 28, 2026.

On consent, it is ordered that:

1. The Landlord shall pay the Tenant \$8,000.00 on or before January 31, 2026.
2. Once the Landlord pays the Tenant per paragraph 1, the tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before February 28, 2026.
3. If the Landlord does not pay the Tenant the full amount owing on or before January 31, 2026, this agreement is voided.
4. If the unit is not vacated on or before February 28, 2026, then starting March 1, 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 March 1, 2026.
6. The Tenant shall also pay the Landlord compensation of \$31.23 per day for the use of the unit starting January 17, 2026, to the date the Tenant moves out of the unit.

April 2, 2026
Date Issued

Isabelle Bouvier
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 of the Tenant expires on September 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.