



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-095741-25

In the matter of: 1040 GLADSTONE AVE
WINDSOR ON N9A2R8

Between: Alka Verma Landlord
Vinod Kumar

And

Nicholas Nathan Malott Tenant
Miranda S Davis

Alka Verma and Vinod Kumar (the 'Landlord') applied for an order to terminate the tenancy and evict Nicholas Nathan Malott and Miranda S Davis (the 'Tenant') because:

- the Tenant did not pay the rent that the Tenant owes (L1 Application); and
- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant. The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date; (L2 Application).

The Landlord also applied for an order requiring the Tenant to pay the Landlord's reasonable out-of-pocket expenses that are the result of the Tenant's failure to pay utility costs they were required to pay under the terms of the tenancy agreement.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

Prior to the videoconference hearing on April 2, 2026 the parties elected to participate in Board facilitated mediation with the assistance of a Dispute Resolution Officer (DRO).

The Landlord's Representative, Muhammad Malik, and the Tenant participated in the mediation. The Tenant, Miranda S Davis, also represented the interests of Nicholas Nathan Malott, who did not attend the mediation.

The parties agreed to resolve all matters raised in the application and requested an order on consent. I am satisfied that the parties understood the terms and consequences of their consent.

It is agreed by the parties that:

- A. As of the hearing date, the Tenant was still in possession of the rental unit.
- B. The lawful rent is \$2,350.00. It is due on the 1st day of each month.
- C. Based on the Monthly rent, the daily rent/compensation is \$77.26. This amount is calculated as follows: $\$2,350.00 \times 12$, divided by 365 days.
- D. The Tenant has not made any payments since the application was filed.
- E. The rent arrears owing to April 30, 2026 are \$21,500.00.
- F. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
- G. The Landlord collected a rent deposit of \$2,350.00 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.
- H. Interest on the rent deposit, in the amount of \$45.97 is owing to the Tenant for the period from April 28, 2025 to April 2, 2026.
- I. The Tenant owes the Landlord \$3415.07 for outstanding utilities costs.

It is ordered on consent that:

- 1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before April 10, 2026.
- 2. The Tenant shall pay the Landlord any rent arrears owing up to the date of the hearing and the cost of filing the application. The amount of the rent deposit and interest the Landlord owes on the rent deposit are deducted from the amount owing by the Tenant.
- 3. As of the date of the hearing, the Tenant owes the Landlord \$20,509.62. See Schedule 1 for the calculation of the amount owing.
- 4. The Tenant shall also pay the Landlord compensation of \$77.26 per day for the use of the unit starting April 3, 2026 to the date the Tenant moves out of the unit.
- 5. If the Tenant does not pay the Landlord the full amount owing on or before April 10, 2026, the Tenant will start to owe interest. This will be simple interest calculated from April 11, 2026 at 4.00% annually on the balance outstanding.
- 6. If the unit is not vacated on or before April 10, 2026, then starting April 11, 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 11, 2026.

April 7, 2026
Date Issued

Monica Dairo
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 October 11, 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 April 2, 2026	\$19,304.52
Outstanding utilities costs	\$3415.07
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	-\$2,350.00
Less the amount of the interest on the last month's rent deposit	-\$45.97
Total amount owing to the Landlord	\$20,509.62
Plus daily compensation owing for each day of occupation starting April 3, 2026	\$77.26 (per day)