



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-002697-26

In the matter of: 210, 26 WESTERN BATTERY RD
TORONTO ON M6K3N9

Between: Mohit Arora Landlord

And

James Ryan Fitzsimmons Tenants
Iye Sanneh

When the capitalized word "Tenant" is used in this order, it refers to all persons identified as a Tenant at the top of the order.

Mohit Arora (the 'Landlord') applied for an order to terminate the tenancy and evict James Ryan Fitzsimmons and Iye Sanneh (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The parties attended a hearing on March 25, 2026, by video conference. The parties elected to participate in Board facilitated mediation with the assistance of Dispute Resolution Officer (DRO) Felicia Puscalau.

The Landlord and the Landlord's Legal Representative, Rizna Rishafy, were present, as was the Tenant, James Fitzsimmons, who was accompanied by his support person, Brittney Parkes.

As a result of the mediation session, the parties reached a mutual agreement to resolve the matter and requested an Order on consent. I am satisfied that they understood the terms and the legal consequences of their informed and voluntary consent.

The parties agreed to the following:

1. The application is amended to accurately reflect the Tenant's last name as Fitzsimmons.
2. The Landlord served the Tenant with a valid 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.
3. As of the hearing date, the Tenant was still in possession of the rental unit.
4. The lawful rent is \$2,000.00. It is due on the 1st day of each month.

5. Based on the Monthly rent, the daily rent/compensation is \$65.75. This amount is calculated as follows: \$2,000.00 x 12, divided by 365 days.
6. The Tenant has not made any payments since the application was filed.
7. The rent arrears owing to March 31, 2026, including the \$186 application filing fee are \$15,386.00.
8. The Landlord collected a rent deposit of \$2,000.00 from the Tenant, which will be applied to the rent for May 2026.
9. The \$100.00 interest on the last month's rent deposit will be deducted from the April rent, leaving a balance of \$1,900 payable by the Tenant on or before April 15, 2026.
10. The parties agreed to a final, non-voidable termination of this tenancy as of May 31, 2026. As such, the Tenant does not have the option to void the eviction order by paying the outstanding rent arrears.

On consent of the parties, it is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated and the Tenant 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, then starting June 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
3. 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.
4. The Tenant shall pay to the Landlord \$15,386.00 on or before May 31, 2026.
5. If the Tenant does not pay the Landlord the full amount owing on or before May 31, 2026, the Tenant will start to owe interest. This will be simple interest calculated from June 1, 2026, at 4.00% annually on the balance outstanding.
6. If the Tenant doesn't move out on or before May 31, 2026, the Tenant shall also pay the Landlord compensation of \$65.75 per day for the use of the unit starting June 1, 2026, until the date the Tenant moves out of the unit.
7. The \$1,900.00 rent for the month of April 2026 is due on or before April 15, 2026.
8. If the Tenant fails to make any the payment in accordance with paragraph 7 of this order, the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant. This may result in the Board issuing an order that terminates the tenancy before May 31, 2026

April 9, 2026
Date Issued

Felicia Puscalau
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.