



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-022330-26 and LTB-L-010131-26

In the matter of: 1, 2 McPherson Avenue
Kapuskasing ON P5N1T8

Between: Ouellette Asset Management Corp Landlord

And

Robert Benoit Tenant

Ouellette Asset Management Corp (the 'Landlord') applied for an order to terminate the tenancy and evict Robert Benoit (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes (L1 application).

Ouellette Asset Management Corp (the 'Landlord') also applied for an order to terminate the tenancy and evict Robert Benoit (the 'Tenant') because the Landlord requires vacant possession of the rental unit in order to do major repairs or renovations to the unit. The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date (L2 application).

The L2 application was scheduled to be heard by videoconference on March 26, 2026, and the L1 application is scheduled to be heard by videoconference on May 19, 2026. As a result of the mediation, both files are resolved and the hearing scheduled for the L1 application is cancelled.

The Landlord's Legal Representative, Daria Berezowska, attended on behalf of the Landlord.

The Tenant attended with Legal Representative, Amanda Landry.

The parties elected to participate in LTB-facilitated mediation with the assistance of Angela McLaughlin, a Dispute Resolution Officer and Hearings Officer with the Landlord and Tenant Board.

The parties agree:

L1 application:

1. The parties agree to a final, non-voidable eviction order with an eviction date of May 31, 2026.
2. The lawful monthly rent is \$658.00. It is due on the 1st day of each month.

3. The total amount the Tenant owes to the Landlord is \$1,498.91 including arrears of rent (\$1,312.91) and costs (\$186.00) up to March 31, 2026.
4. The Landlord waives all outstanding arrears of rent and the application filing fee.
5. The Landlord is not holding a last month's rent deposit.

L2 application:

1. The Tenant waives their right of first refusal under section 53.1 of the *Residential Tenancies Act, 2006* (the 'Act') to move back into the rental unit when the repairs are completed.
2. On January 29, 2026, the Landlord paid the Tenant in the amount of \$1,974.00. This payment satisfies the Landlord's obligation under section 54.1 of the *Residential Tenancies Act, 2006* (the 'Act') to pay the Tenant compensation equal to three months' rent.

On consent, it is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. 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 Landlord shall waive the rent for the months of April 2026 and May 2026.
5. If the Tenant vacates the rental unit and returns all rental unit keys to the Landlord on or before May 31, 2026, the Landlord shall pay the Tenant \$2,000.00 via money order.
6. If the Landlord does not pay the Tenant the full amount owing on or before May 31, 2026, the Landlord will start to owe interest. This will be simple interest calculated from June 1, 2026 at 4.00% annually on the balance outstanding.
7. If the Tenant does not vacate the rental unit on or before May 31, 2026, the \$2,000.00 compensation will not be due and owing.
8. If the Tenant does not vacate the rental unit on or before May 31, 2026, the Tenant shall owe the Landlord \$21.63 per day starting June 1, 2026 and continuing until the date the Tenant vacates the rental unit.

April 13, 2026
Date Issued

Angela McLaughlin
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 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.