



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-007455-26

In the matter of: 409 JOSEPHINE AVE
WINDSOR ON N9B2K9

Between: NAGAVENKATA GUNDABATHULA Landlord

And

DAMION KILLIAN LAVANIOUS Tenant

NAGAVENKATA GUNDABATHULA (the 'Landlord') applied for an order to terminate the tenancy and evict DAMION KILLIAN LAVANIOUS (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on April 8, 2026. The Landlord's legal representative, Richard Lammers and the Tenant's agent, Crystal McLachlan attended the hearing. The Tenant spoke with the Dispute Resolution Officer (DRO) via phone and confirmed his authorization to the agent to proceed with the consent terms.

The parties resolved the matter directly and requested an order on consent. I am satisfied that parties understand the terms and consequences of their consent, including waiving the right to a hearing for this application.

Agreed Facts:

1. The Landlord sought to amend the L1 application to reflect that the Tenant paid a last month's rent deposit.
2. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful rent is \$2,400.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$78.90. This amount is calculated as follows: \$2,400.00 x 12 months, divided by 365 days.
5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to April 30, 2026, are \$11,800.00.

7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord collected a rent deposit of \$2,600.00 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.
9. Interest on the rent deposit, in the amount of \$32.91 is owing to the Tenant for the period from September 1, 2025, to April 8, 2026.
10. The parties agree to a final, non-voidable eviction order based on the parties' agreement to terminate the tenancy. The Tenant does not have the option to void the order by paying the rent arrears and costs.

It is ordered on consent 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 April 30, 2026.
2. If the unit is not vacated on or before April 30, 2026, then starting May 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 May 1, 2026.
4. The Tenant shall pay to the Landlord \$7,584.29. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. The rent deposit and interest the Landlord owes on the rent deposit are deducted from the amount owing by the Tenant. See Schedule 1 for the calculation of the amount owing.
5. The Tenant shall also pay the Landlord compensation of \$78.90 per day for the use of the unit starting April 9, 2026, until the date the Tenant moves out of the unit.
6. If the Tenant does not pay the Landlord the full amount owing on or before April 30, 2026, the Tenant will start to owe interest. This will be simple interest calculated from May 1, 2026, at 4.00% annually on the balance outstanding.

April 15, 2026
Date Issued

Oluwatobi Abobarin
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 November 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.

Schedule 1
SUMMARY OF CALCULATIONS

Amount the Tenant must pay as the tenancy is terminated

Rent Owing To Hearing Date	\$10,031.20
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$2,600.00
Less the amount of the interest on the last month's rent deposit	- \$32.91
Total amount owing to the Landlord	\$7,584.29
Plus daily compensation owing for each day of occupation starting April 9, 2026	\$78.90 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	