



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

**File Number:** LTB-L-108502-25

**In the matter of:** Upper Unit, 903 PIERRE AVE  
WINDSOR ON N9A2K8

**Between:** James Szlatoszlavek Landlords  
Dunja Szlatoszlavek

**And**

Clifford Miners Tenants  
MaryBeth Miners

James Szlatoszlavek and Dunja Szlatoszlavek (the 'Landlords') applied (L1) for an order to terminate the tenancy and evict Clifford Miners and MaryBeth Miners (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

The Landlords also applied (L2) for an order to terminate the tenancy and evict the Tenants because:

- the Tenants, another occupant of the rental unit or someone the Tenants permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlords or another tenant.

This combined application was heard by videoconference on April 7, 2026.

The Landlords and the Tenants participated in mediation and agreed to an Order on Consent in full and final satisfaction of the application, and in so doing, understand that their legal rights to a hearing on the merits of the matter have been waived.

I was satisfied that the terms of this agreement are consistent with the *Residential Tenancies Act, 2006* and that the parties have provided their informed, independent, and voluntary consent.

The parties before the LTB consented to the following order:

**It is agreed that:**

1. The Landlords served the Tenants with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenants 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.

2. As of the hearing date, the Tenants were still in possession of the rental unit.
3. The lawful rent is \$2,042.00. It is due on the 1st day of each month.
4. Based on the monthly rent, the daily rent/compensation is \$67.13. This amount is calculated as follows: \$2,042.00 x 12, divided by 365 days.
5. The Tenants have paid \$2,000.00 to the Landlords since the application was filed.
6. The rent arrears owing to April 30, 2026 are \$8,063.00.
7. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlords collected a rent deposit of \$2,000.00 from the Tenants and this deposit is still being held by the Landlords. 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 \$44.88 is owing to the Tenants for the period from March 14, 2025 to April 7, 2026.
10. On December 1, 2025, the Landlords gave the Tenants an N5 notice of termination.
11. The Tenants did not stop the conduct or activity and/or correct the omission within seven days after receiving the N5 notice of termination; and therefore, did not void the N5 notice of termination in accordance with s.64(3) of the *Residential Tenancies Act, 2006* (Act).
12. The Tenants will continue and remain current with their obligation to pay for utilities, pursuant to the lease agreement, for the duration of their occupancy of the unit.

**It is ordered on consent that:**

**L1 Application**

1. The tenancy between the Landlords and the Tenants is terminated in a final way and without voiding provisions.
2. The Tenants must move out of the rental unit on or before July 31, 2026.
3. The Tenants shall pay to the Landlords \$4,632.03. 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 Landlords owe on the rent deposit are deducted from the amount owing by the Tenants. See Schedule 1 B for the calculation of the amount owing.
4. The Tenants shall also pay the Landlords compensation of \$67.13 per day for the use of the unit starting April 8, 2026 until the date the Tenants move out of the unit.
5. If the Tenants do not pay the Landlords the full amount owing on or before July 31, 2026, the Tenants will start to owe interest. This will be simple interest calculated annually from August 1, 2026 on the balance outstanding, at the interest rate determined under section 127 of the *Courts of Justice Act*.

6. If the unit is not vacated on or before July 31, 2026, then starting August 1, 2026, the Landlords 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 Landlords on or after August 1, 2026.

## L2 Application

8. The occupancy of the unit by the Tenants continues, to no later than July 31, 2026, if the Tenants meet the conditions set out below.
9. Starting immediately and for the duration of the Tenants' occupancy of the unit, the Tenants, another occupant of the rental unit or someone the Tenants permit in the residential complex shall not substantially interfere with the reasonable enjoyment or lawful right, privilege or interest of the Landlords or another tenant, and specifically;
  - no loud noise; music, guest activity, or door slamming;
  - no irregular use of the fire escape (for emergency exit only);
  - no improper disposal of garbage or sharps/hazardous materials;
  - do not tamper with, disable or destroy the smoke detector/alarm, carbon monoxide detector/alarm, or any other fire safety equipment at the residential complex; and
  - do not use or permit the use of the attic space as a bedroom or sleeping area.
10. If the Tenants fail to comply with the conditions set out in paragraph 9 of this order, the Landlords may apply under section 78 of the Residential Tenancies Act, 2006 (the 'Act') for an order to evict the Tenants. The Landlords must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Tenants; be advised, this may result in an eviction date before July 31, 2026.

**April 20, 2026**  
**Date Issued**

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Janice Campbell  
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 February 1, 2027 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. The amount of rent owing calculated to April 30, 2026**

|                                                                                          |                   |
|------------------------------------------------------------------------------------------|-------------------|
| Rent Owing To April 30, 2026                                                             | \$10,042.00       |
| Application Filing Fee                                                                   | \$186.00          |
| <b>Less</b> the amount the Tenants paid to the Landlords since the application was filed | - \$2,000.00      |
| <b>Total rent owing to April 30, 2026</b>                                                | <b>\$8,249.00</b> |

**B. The amount the Tenants must pay as the tenancy is terminated**

|                                                                                                                     |                      |
|---------------------------------------------------------------------------------------------------------------------|----------------------|
| Rent Owing To Hearing Date – April 7, 2026                                                                          | \$8,469.91           |
| Application Filing Fee                                                                                              | \$186.00             |
| <b>Less</b> the amount the Tenants paid to the Landlords since the application was filed                            | - \$2,000.00         |
| <b>Less</b> the amount of the last month's rent deposit                                                             | - \$2,000.00         |
| <b>Less</b> the amount of the interest on the last month's rent deposit                                             | - \$44.88            |
| <b>Total amount owing to the Landlords</b>                                                                          | <b>\$4,632.03</b>    |
| Plus daily compensation owing for each day of occupation starting April 8, 2026                                     | \$67.13<br>(per day) |
| **Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00. |                      |