



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

File Number: LTB-L-012291-26

In the matter of: 12, 161 AHRENS ST W
KITCHENER ON N2H4C8

Between: Grant Roberts Landlord

And

Mary (Linsey) Baldwin Tenant

Grant Roberts (the 'Landlord') applied for an order to terminate the tenancy and evict Mary (Linsey) Baldwin (the 'Tenant') because:

- the Tenant did not pay the rent that the Tenant owes (L1 Application); and
- the Tenant has been persistently late in paying the Tenant's rent; (L2 Application).

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

This application was heard by videoconference on April 15, 2026.

The Landlord's Legal Representative, Eric Schroeder, and Agent, Joanne Coles, and the Tenant attended the hearing.

The parties mutually agreed to resolve all matters at issue in the application and requested an order on consent. I was satisfied that the parties understood the consequences of the joint submission.

Agreed Facts:

L1 Application – Non-Payment of Rent:

1. The Landlord served the Tenant with a 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.
2. As of the hearing date, the Tenant was still in possession of the rental unit.
3. The lawful monthly rent is \$1,446.51. it is due on the 1st of each month.

4. The Tenant has made a payment of \$1420.00 since the filing of the application.
5. The rent arrears owing to April 30, 2026, are \$5,732.52. The Tenant did not dispute the arrears owing to the Landlord.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. The Landlord collected a rent deposit of \$1,416.06 from the Tenant and this deposit is still being held by the Landlord.

L2 Application – Persistent Late Payment of Rent:

8. The Landlord gave the Tenant an N8 Notice of Termination because they have persistently failed to pay the rent on the date it was due. The Tenant paid rent late 9 times in a 12-month period spanning from May 1, 2025, to April 30, 2026. The Tenant ceased paying rent as of January 2026.

Determination:

9. On consent, the parties requested a final, non-voidable termination of this tenancy based on their agreement to terminate the tenancy as of April 30, 2026. The application is amended to include an L3 application for termination of the tenancy. As a consequence, the Tenant does not have the option to void the eviction order under subsections 74(4) or 74(11) of the Residential Tenancies Act, 2006 (the 'Act') by paying the outstanding rent.

On consent, it is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated, as of April 30, 2026. The Tenants must move out of the rental unit on or before April 30, 2026.
2. The Tenant shall pay the Landlord \$4,468.98 which represents the arrears of rent owing up to April 30, 2026, 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. See Schedule 1 for the calculation of the amount owing.
3. The Tenant shall also pay the Landlord compensation of \$47.56 per day for the use of the unit starting May 1, 2026, to the date the Tenant moves out of the unit.
4. 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.
5. 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.
6. 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.

April 27, 2026
Date Issued

Amit Gurpersaud
Member, 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 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

A. Amount the Tenant must pay as the tenancy is terminated

Rent Owing To April 30, 2026	\$7,152.52
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	-\$1,420.00
Less the amount of the last month's rent deposit	-\$1,416.06
Less the amount of the interest on the last month's rent deposit	-\$33.48
Total amount owing to the Landlord	\$4,468.98
Plus daily compensation owing for each day of occupation starting May 1, 2026	\$47.56 (per day)