



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

File Number: LTB-L-014479-26

In the matter of: 26 AVENUE PL
WELLAND ON L3B4B1

Between: Timothy Smith
Christina C. Cino
Landlords

And

Matthew McMillan
Lacey Chenette
Tenants

Timothy Smith and Christina C. Cino (the 'Landlords') applied for an order to terminate the tenancy and evict Matthew McMillan and Lacey Chenette (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

The application was scheduled to be heard on April 27, 2026, by video conference, at which the parties decided to participate in Board facilitated mediation with the assistance of Dispute Resolution Officer/Hearings Officer, Nancy Fahlgren.

The Landlords' representative, Lisa Bardar, and the Tenants were present. The Tenants did not meet with Tenant Duty Counsel prior to the hearing.

As a result of the mediation, the parties mutually agreed to resolve all matters at issue in the application. They requested an order on consent. I am satisfied that the parties understood the consequences of their consent.

Agreed Facts:

1. The tenancy is terminated in a final way and without voiding provisions. The Tenants will have until June 30, 2026 to vacate the rental unit.
2. The lawful rent is \$2,050.00. It is due on the 1st day of each month.
3. Based on the monthly rent, the daily rent/compensation is \$67.40. This amount is calculated as follows: \$2,050.00 x 12, divided by 365 days.
4. The Tenants have paid \$400.00 to the Landlords since the application was filed.
5. The rent arrears owing to April 30, 2026 are \$20,500.00.
6. The Landlords incurred costs of \$186.00 for filing the application and are entitled to reimbursement of those costs.

7. The Landlords collected a rent deposit of \$2,050.00 from the Tenants and this deposit is still being held by the Landlords.
8. Interest on the rent deposit, in the amount of \$83.10 is owing to the Tenants for the period from August 1, 2024 to April 27, 2026.
9. The rent deposit and interest owing on the rent deposit are applied to the arrears of rent because the tenancy is terminated.

On consent, it is ordered that:

1. The tenancy between the Landlords and the Tenants is terminated. The Tenants must move out of the rental unit on or before June 30, 2026.
2. The Tenants shall pay to the Landlords \$18,322.70. 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 for the calculation of the amount owing.
3. The Tenants shall also pay the Landlords compensation of \$67.40 per day for the use of the unit starting April 28, 2026 until the date the Tenants move out of the unit.
4. If the Tenants do not pay the Landlords the full amount owing on or before June 30, 2026, the Tenants will start to owe interest. This will be simple interest calculated from July 1, 2026 at 4.00% annually on the balance outstanding.
5. If the unit is not vacated on or before June 30, 2026, then starting July 1, 2026, the Landlords 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 Landlords on or after July 1, 2026.

May 1, 2026
Date Issued

Nancy Fahlgren
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 January 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

Amount the Tenants must pay the Landlords

Rent Owing To Hearing Date	\$20,669.80
Application Filing Fee	\$186.00
Less the amount the Tenants paid to the Landlords since the application was filed	- \$400.00
Less the amount of the last month's rent deposit	- \$2,050.00
Less the amount of the interest on the last month's rent deposit	- \$83.10
Total amount owing to the Landlords	\$18,322.70
Plus daily compensation owing for each day of occupation starting April 28, 2026	\$67.40 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	