



**Order under Section 57
Residential Tenancies Act, 2006**

File Number: LTB-T-100309-25

In the matter of: Garage Unit, 22 Stirton St
Hamilton ON L8L6E8

Between: Daniel Wolsey Tenant

And

Kelly Niessen Landlords
Doug Niessen

Daniel Wolsey (the 'Tenant') applied for an order determining that Kelly Niessen and Doug Niessen (the 'Landlords') gave a notice of termination in bad faith.

This application was scheduled to be heard by videoconference on April 29, 2026.

The Tenant, Tenant Support Gabrielle Maynard and the Landlord's Legal Representative Francisco Gomez attended the hearing.

The parties before the Landlord and Tenant Board consented to the following Order. I was satisfied that the parties understood the terms and consequences and freely agreed to resolve the application.

The parties agreed:

1. The Tenant moved out of the rental unit on December 31, 2024.
2. The Landlords will make payments to the tenant by auto deposit.
3. **Penalty Clause:**
 - The Landlords agree to pay an additional \$1,500.00 to the Tenant (for a total of \$10,000.00) if the Tenant does not receive \$3,500.00 on April 30, 2026.
 - If the Tenant receives \$3,500.00 on April 30, 2026, the Landlords will pay an additional \$1,500.00 if the May 29, 2026 payment is more than 3 days late (for a total of \$10,000.00).
 - If the Tenant receives the first and second payment and the final payment of \$2,500.00 on June 29, 2026 is more than 3 days late, the Landlords will pay the additional \$1,500.00 (for a total of \$10,000.00).

It is ordered on consent that:

1. The Landlords shall pay the Tenant \$8,500.00.
2. The Landlord shall pay the Tenant the \$8,500.00 per paragraph 1 as follows:
 - \$3,500.00 on April 30, 2026.
 - \$2,500.00 on May 29, 2026.
 - \$2,500.00 on June 29, 2026.
3. If there is a breach in payment, the entire amount in paragraph 1 becomes due, less any payments made, and simple interest will be calculated as per the *Courts of Justice Act* on any balance outstanding.
4. This is a full and final mutual resolution of all tenancy issues.

May 1, 2026
Date Issued

Melinda Jamieson
Hearing 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.