



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

File Number: LTB-L-013457-26

In the matter of: Garage Flat, 19 Colonel Butler Cres
Niagara-on-the-Lake ON L0S1J0

Between: Brian Carberry Landlord

And

Mark Cipparoa Tenant

Brian Carberry (the 'Landlord') applied for an order to terminate the tenancy and evict Mark Cipparoa (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

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

The application was heard by videoconference on April 27, 2026. The Landlord and the Tenant attended the hearing.

At the hearing, the parties engaged in mediation. As a result of the resolution discussion, 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 terms and consequences of their consent, and specifically that the tenancy would terminate.

Agreed Facts:

1. The parties agreed to terminate the tenancy on June 19, 2026.
2. The lawful rent is \$1,300.00. It is due on the 19th day of each month.
3. Based on the Monthly rent, the daily rent/compensation is \$42.74. This amount is calculated as follows: \$1,300.00 x 12, divided by 365 days.
4. The Tenant has not made any payments since the application was filed.
5. The rent arrears owing to May 18, 2026 are \$6,000.00.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. There is no last month's rent deposit.

8. The parties agreed to a final, non-voidable eviction order based on the parties' agreement to terminate the tenancy. Therefore, the Tenant does not have the option to void the order by paying the arrears and costs.

On consent of the parties, it is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before June 19, 2026.
2. The Tenant shall pay to the Landlord \$6,186.00 which represents arrears of rent (\$6,000.00) plus the application filing fee (\$186.00) for the period ending May 18, 2026.
3. The Tenant shall pay to the Landlord the amount set out in paragraph 2 in accordance with the following schedule:
 - Payments of \$750.00 on or before the 20th day of each month starting on June 20, 2026, and continuing each month until January 20, 2027; and
 - a final payment of \$186.00 on or before February 20, 2027.
4. The Tenant shall also pay the Landlord compensation of \$42.74 per day for the use of the unit starting May 19, 2026 to the date the Tenant moves out of the unit.
5. If the Tenant does not make any of the required payments pursuant to paragraph 3 in full and by the applicable deadline, the Tenant will start to owe interest. The monies owing shall bear interest at the post-judgement interest rate determined under subsection 207(7) of the Residential Tenancies Act, 2006 (the "Act"). The Landlord has the right to collect the balance outstanding under this Order.
6. If the unit is not vacated on or before June 19, 2026, then starting June 20, 2026, the Landlord 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 Landlord on or after June 20, 2026.

May 7, 2026
Date Issued

Sandra Sabourin
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 of the Tenant expires on December 20, 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.