



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

File Number: LTB-L-018790-26

In the matter of: 1, 10 Alexander Ave
Kawartha Lakes ON K0M1L0

Between: Jennifer Fan Landlord
Kevin Marks

And

Mitchell Gahs Tenant

Jennifer Fan and Kevin Marks (the 'Landlord') applied for an order to terminate the tenancy and evict Mitchell Gahs (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.

This application was heard by videoconference on May 4, 2026.

The Landlord and the Tenant attended the hearing.

At the hearing the parties consented to the following order. I was satisfied that the parties understood the consequences of their consent. In particular, I was satisfied that the Tenant understood the consequence of agreeing to terminate the tenancy on May 9, 2026 on a non-voidable basis.

Agreed Facts:

1. The Landlord served the Tenant with a valid 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 rent is \$1,800.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$59.18. This amount is calculated as follows: \$1,800.00 x 12, divided by 365 days.

5. The Tenant has not made any payments since the application was filed.
6. The rent arrears owing to May 31, 2026 are \$7,200.00.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Landlord collected a rent deposit of \$1,800.00 from the Tenant and this deposit is still being held by the Landlord. 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 \$22.37 is owing to the Tenant for the period from October 1, 2025 to May 4, 2026.
10. On consent, in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), it would not be unfair to terminate the tenancy on May 9, 2026.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before May 9, 2026. There is no opportunity to void this order by paying the outstanding rent arrears.
2. The Tenant shall pay the Landlord any rent arrears owing to May 9, 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.
3. The total the Tenant owes the Landlord \$4,296.25. See Schedule 1 for the calculation of the amount owing.
4. The Tenant shall also pay the Landlord compensation of \$118.36 per day for the use of the unit starting May 10, 2026 to the date the Tenant moves out of the unit, if they do not vacate on or before May 9, 2026.
5. If the Tenant does not pay the Landlord the full amount owing on or before May 9, 2026, the Tenant will start to owe interest. This will be simple interest calculated from May 10, 2026 at 4.00% annually on the balance outstanding.
6. If the unit is not vacated on or before May 9, 2026, then starting May 10, 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 May 10, 2026.

May 8, 2026
Date Issued

Benjamin Seigel
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 10, 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 May 9, 2026	\$5,932.62
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	-\$1,800.00
Less the amount of the interest on the last month's rent deposit	-\$22.37
Total amount owing to the Landlord	\$4,296.25
Plus daily compensation owing for each day of occupation starting May 5, 2026	\$59.18 (per day)