



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

File Number: LTB-L-016904-26

In the matter of: 3 (Upper), 45 Campbell Ave.
Barrie, ON L4N2T2

Between: Tyrone DiMaguila & Jenny Espiritu Landlord
c/o Renaissance Property Management

And

Sean Grogan Tenant

Tyrone DiMaguila & Jenny Espiritu c/o Renaissance Property Management (the 'Landlord') applied for an order to terminate the tenancy and evict Sean Grogan (the 'Tenant') because the Tenant did not pay the rent owed.

This application was heard by videoconference on May 5, 2026.

The Landlord's legal representative, Cassandra Weatherston, the Tenant, and the Tenant's support, Shannon Kelly, attended the hearing.

The Tenant met with Tenant Duty Counsel prior to the commencement of the hearing.

At the hearing the parties consented to the following terms and conditions. I was satisfied that the parties provided informed consent.

It is agreed that:

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 \$1,704.23. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$56.03. This amount is calculated as follows: $\$1,704.23 \times 12$, 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 \$6,721.66.
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 \$1,550.00 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 \$159.64 is owing to the Tenant for the period from August 1, 2021, to May 5, 2026.
10. At the hearing, parties agreed to a non-voidable order with an extended termination date of May 23, 2026.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenant will terminate May 23, 2026.
The Tenant must move out of the rental unit on or before May 23, 2026.
2. The Tenant shall pay to the Landlord \$3,773.94. 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 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 \$56.03 per day for the use of the unit starting May 6, 2026, until 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 May 23, 2026, the Tenant will start to owe interest. This will be simple interest calculated from May 24, 2026, at 4.00% annually on the balance outstanding.
5. If the unit is not vacated on or before May 23, 2026, then starting May 24, 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 24, 2026.

May 11, 2026

Date Issued

Ken Audziss

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 expires on November 24, 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 Hearing Date, May 5, 2026	\$5,297.58
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,550.00
Less the amount of the interest on the last month's rent deposit	- \$159.64
Total amount owing to the Landlord	\$3,773.94
Plus, daily compensation owing for each day of occupation starting May 6, 2026	\$56.03 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	