



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

**File Number:** LTB-L-014802-26

**In the matter of:** 823, 250 MANITOBA ST  
ETOBICOKE ON M8Y4G8

**Between:** TUMUSHABE MUTUNGI Landlord

**And**

KHADIJA NAMMARI Tenant

TUMUSHABE MUTUNGI (the 'Landlord') applied for an order to terminate the tenancy and evict KHADIJA NAMMARI (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

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

The Landlord, the Landlord's Representative, Anome Mehrabian, the Landlord's Supporter, Kevin Shonubi, and the Tenant's Representative, Kristin Markoff, resolved their matter directly and without mediation services and agreed to an Order on Consent in full and final satisfaction of the application, and in so doing, understand that their legal rights to a hearing on the merits of the matter have been waived.

I was satisfied that the terms of this agreement are consistent with the *Residential Tenancies Act, 2006* and that the parties have provided their informed, independent, and voluntary consent.

The parties before the LTB consented to the following order:

**It is agreed that:**

1. The Landlord served the Tenant with a 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 \$3,050.00. It is due on the 15th day of each month.
4. Based on the monthly rent, the daily rent/compensation is \$100.27. This amount is calculated as follows: \$3,050.00 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 14, 2026 are \$36,600.00.
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 \$3,050.00 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 \$83.35 is owing to the Tenant for the period from January 15, 2025 to May 4, 2026.

**It is ordered on consent that:**

1. The tenancy between the Landlord and the Tenant is terminated in a final way and without voiding provisions
2. The Tenant must move out of the rental unit on or before May 15, 2026.
3. The Tenant shall pay to the Landlord \$32,608.05. 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.
4. The Tenant shall also pay the Landlord compensation of \$100.27 per day for the use of the unit starting May 5, 2026 until the date the Tenant moves out of the unit.
5. Provided the Tenant and all occupants of the rental unit move out by May 15, 2026, the Landlord waives claim to the full amount owing to May 15, 2026.
6. Otherwise, and if the Tenant does not pay the Landlord the full amount owing on or before May 15, 2026, the Tenant will start to owe interest. This will be simple interest calculated from May 16, 2026 at 4.00% annually on the balance outstanding.
7. If the unit is not vacated on or before May 15, 2026, then starting May 16, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
8. 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 16, 2026.

**May 11, 2026**  
**Date Issued**

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Janice Campbell  
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 November 16, 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 4, 2026                                                                            | \$35,555.40           |
| Application Filing Fee                                                                                              | \$186.00              |
| <b>Less</b> the amount of the last month's rent deposit                                                             | - \$3,050.00          |
| <b>Less</b> the amount of the interest on the last month's rent deposit                                             | - \$83.35             |
| <b>Total amount owing to the Landlord</b>                                                                           | <b>\$32,608.05</b>    |
| Plus daily compensation owing for each day of occupation starting May 5, 2026                                       | \$100.27<br>(per day) |
| **Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00. |                       |