



**Order under Section 94.7
Residential Tenancies Act, 2006**

File Number: LTB-C-027904-26

In the matter of: 42 FOREST CREEK PTWAY
SCARBOROUGH ON M1B5K8

Between: Wilcox Creek Co-operative Homes Inc. Co-op

And

Alleyne Monique Co-op Member

Wilcox Creek Co-operative Homes Inc. (the 'Co-op') applied for an order to end the occupancy of the member unit and evict Alleyne Monique (the 'Co-op Member') because the Co-op Member did not pay the regular monthly housing charges that the Co-op Member owes and because the Co-op Member has been persistently late in paying the Co-op Member's regular monthly housing charges.

The Co-op also claimed other housing charges on the application.

A Case Management Hearing was held on May 7, 2026.

Sara Murtadha (Co-op's legal representative) attended for the Co-op. The Co-op Member also attended the hearing.

The parties agreed to resolve the Co-op's application by way of an order on consent. I was satisfied the parties understood the terms and consequences of their consent.

The parties agreed that:

1. As of the hearing date, the Co-op Member was still in possession of the member unit.
2. The regular monthly housing charge is \$1,339.00. It is due on the 1st day of each month.
3. The daily compensation is calculated as follows: \$1,339.00 x 12, divided by 365 days.
4. The Co-op Member paid \$1,000.00 to the Co-op since the application was filed.
5. The regular monthly housing charges owing to May 31, 2026 are \$3,022.50.
6. The Co-op Member also owes the Co-op \$15.00 for other housing charges (late fee).

7. The Co-op incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
8. The Co-op Member is owed \$1,168.00 for a refundable damage deposit. The total refundable deposit is set off against the amount the Co-op Member owes.

It is ordered on consent that:

C1 Application

1. The Co-op Member's occupancy is terminated unless the Co-op Member voids this order.
2. **The Co-op Member may void this order and continue the occupancy by paying to Co-op or to the LTB in trust:**
 - \$3,223.50 if the payment is made on or before May 31, 2026. See Schedule 1 for the calculation of the amount owing.
3. The Co-op Member may also make a motion at the LTB to void this order under section 74(11) and 94.16(2)(b) of the Act, if the Co-op Member has paid the full amount owing as ordered plus any additional regular monthly housing charges that became due after May 31, 2026 but before the Court Enforcement Office (Sheriff) enforces the eviction. The Co-op Member may only make this motion once during the occupancy agreement with the Co-op.
4. **If the Co-op Member does not pay the amount required to void this order the Co-op Member must move out of the member unit on or before May 31, 2026**
5. If the Co-op Member does not void the order, the Co-op Member owes the Co-op \$1,024.64. This amount includes arrears of regular monthly housing charges owing up to the date of the hearing and other unpaid housing charges and the cost of filing the application. Any refundable deposits are deducted from the amount owing by the Co-op Member. See Schedule 1 for the calculation of the amount owing.
6. The Co-op Member shall also pay the Co-op compensation of \$44.02 per day for the use of the unit starting May 8, 2026, until the date the Co-op Member moves out of the unit.
7. If the Co-op Member does not pay the Co-op the full amount owing on or before May 23, 2026, the Co-op Member will start to owe interest. This will be simple interest calculated from May 24, 2026 at 4.00% annually on the balance outstanding.
8. If the unit is not vacated on or before May 31, 2026, then starting June 1, 2026, the Co-op may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Co-op on or after June 1, 2026.

C2 Application

10. If the Co-op Member voids the C1 portion of this order, the Co-op Member shall pay to the Co-op the total housing charges as they become due no later than first business day of the month for which the charges are due for the period June 1, 2026 through to and including May 1, 2027.
11. If the Co-op Member fails to comply with the conditions set out in paragraph 10 of this order, the Co-op may apply under section 94.11 of the Residential Tenancies Act, 2006 (the 'Act') for an order terminating the occupancy and evicting the Co-op Member. The Co-op must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Co-op Member.

May 12, 2026
Date Issued

Diego Fernandez-Stoll
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 December 1, 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 Co-op Member must pay to void the eviction order and continue the occupancy if the payment is made on or before May 31, 2026

Regular Monthly Housing Charges Owing To May 31, 2026	\$4,022.50
Total Other Housing Charges	\$15.00
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Co-op Member paid into the Co-op since the application was filed	- \$1,000.00
Total the Co-op Member must pay to continue the occupancy	\$3,223.50

B. Amount the Co-op Member must pay if the occupancy is terminated

Regular Monthly Housing Charges Owing To Hearing Date	\$2,991.64
Total Other Housing Charges	\$15.00
Application Filing Fee	\$186.00
NSF Charges	\$0.00
Less the amount the Co-op Member paid into the Co-op since the application was filed	- \$1,000.00
Less the amount of refundable deposits	- \$1,168.00
Total amount owing to the Co-op	\$1,024.64
Plus daily compensation owing for each day of occupation starting May 8, 2026	\$44.02 (per day)