



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

File Number: LTB-L-017646-26

In the matter of: a, 529 SUNNYDALE PL
WATERLOO ON N2L4S9

Between: SUNNYDALE HOLDINGS LTD Landlord

And

Amanda Kelloway Tenant

SUNNYDALE HOLDINGS LTD (the 'Landlord') applied for an order to terminate the tenancy and evict Amanda Kelloway (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The application was scheduled to be heard by video conference on May 5, 2026, at which time the parties elected to participate in Board facilitated mediation with the assistance of Dispute Resolution Officer/Hearings Officer, Sarah Visnovec.

The Landlord's representative, Peter Gamer, and the Tenant were present. The Tenant spoke with Tenant Duty Counsel prior to the hearing.

As a result of the mediation, the parties mutually agreed to resolve all matters raised in the application and requested an order on consent, and I am satisfied that the parties understand the consequences of their consent.

Agreed facts:

- a) The lawful rent is \$2,950.00. It is due on the 1st day of each month.
- b) Based on the Monthly rent, the daily rent/compensation is \$96.99. This amount is calculated as follows: \$2,950.00 x 12, divided by 365 days.
- c) The Tenant has not made any payments since the application was filed.
- d) The rent arrears owing to May 31, 2026 are \$11,800.00.
- e) The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

- f) The Landlord collected a rent deposit of \$2,850.00 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.
- g) Interest on the rent deposit, in the amount of \$20.50 is owing to the Tenant for the period from January 1, 2026 to May 5, 2026.

On consent, it is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated unless the Tenant voids this order.
2. **The Tenant may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**
 - \$11,986.00 if the payment is made on or before May 31, 2026. See Schedule 1 for the calculation of the amount owing.

OR

 - \$14,936.00 if the payment is made on or before June 30, 2026. See Schedule 1 for the calculation of the amount owing.

OR

 - \$17,886.00 if the payment is made on or before July 31, 2026. See Schedule 1 for the calculation of the amount owing.
3. The Tenant may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenant has paid the full amount owing as ordered plus any additional rent that became due after July 31, 2026 but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenant may only make this motion once during the tenancy.
4. **If the Tenant does not pay the amount required to void this order the Tenant must move out of the rental unit on or before July 31, 2026.**
5. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$6,650.45. 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.
6. The Tenant shall also pay the Landlord compensation of \$96.99 per day for the use of the unit starting May 6, 2026 until the date the Tenant moves out of the unit.
7. If the Tenant does not pay the Landlord the full amount owing on or before July 31, 2026, the Tenant will start to owe interest. This will be simple interest calculated from August 1, 2026 at 4.00% annually on the balance outstanding.

8. If the unit is not vacated on or before July 31, 2026, then starting August 1, 2026, the Landlord 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 Landlord on or after August 1, 2026.

Additional conditions

10. The Tenant shall pay to the Landlord the following amounts:

- \$1,500.00 on or before June 1, 2026 (partial rent June 2026); and
- \$2,950.00 on or before July 1, 2026 (July 2026 rent).

11. If the Tenant fails to make any of the payments in accordance with paragraph 10 and by the dates required, then the Landlord may apply under section 78 of the Act for an order terminating the tenancy and evicting the Tenant, and for the payment of any new arrears of rent and NSF charges not already ordered under paragraph 5 of this order. The Landlord must make the application within 30 days of a breach of a condition of this order. This may result in the Board issuing an order that terminates the tenancy before July 31, 2026.

12. If the Tenant makes the payments as indicated in paragraph 10 above, these payments may reduce the amount required to void the order as set out in paragraph 2 accordingly.

May 13, 2026
Date Issued

Sarah Visnovec
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 February 1, 2027 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 to void the eviction order and continue the tenancy if the payment is made on or before May 31, 2026

Rent Owing To May 31, 2026	\$11,800.00
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$11,986.00

B. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before June 30, 2026

Rent Owing To June 30, 2026	\$14,750.00
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$14,936.00

C. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before July 31, 2026

Rent Owing To July 31, 2026	\$17,700.00
Application Filing Fee	\$186.00
Total the Tenant must pay to continue the tenancy	\$17,886.00

D. Amount the Tenant must pay if the tenancy is terminated

Rent Owing To Hearing Date	\$9,334.95
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$2,850.00
Less the amount of the interest on the last month's rent deposit	- \$20.50
Total amount owing to the Landlord	\$6,650.45
Plus daily compensation owing for each day of occupation starting May 6, 2026	\$96.99 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	