



Order under Section 69 and 77 Residential Tenancies Act, 2006

File Number: LTB-L-016269-26

In the matter of: 0315, 2737 KIPLING AVE
Toronto ON M9V4C3

Between: MetCap Living Management Inc. Landlord

And

Maria de Bonilla Tenants
Salomon Bonilla

MetCap Living Management Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Maria de Bonilla and Salomon Bonilla (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

The Landlord also claimed compensation for each day the Tenants remained in the unit after the termination date.

The parties attended a hearing on May 12, 2026, by video conference where the parties elected to participate in Board facilitated mediation with the assistance of Dispute Resolution Officer (DRO) Diego Fernandez-Stoll. The Landlord's legal representative Christine Daniel and the Tenants Maria de Bonilla and Salomon Bonilla, participated in the mediation. The parties agreed to resolve all matters raised in the application and requested an order on consent.

I was satisfied that the parties understood the terms and consequences of their consent

The parties agreed that:

1. The parties agree to a final, non-voidable eviction order with an eviction date of May 31, 2026. The application is amended to include an L3 application based on the parties' agreement to terminate the tenancy. As a consequence, the Tenants do not have the option to void the eviction order under subsections 74(4) or 74(11) of the Residential Tenancies Act, 2006 (the 'Act') by paying the outstanding rent arrears.
2. The lawful rent is \$3,194.07. It is due on the 1st day of each month.
3. Based on the Monthly rent, the daily rent/compensation is \$105.01. This amount is calculated as follows: \$3,194.07 x 12, divided by 365 days.
4. The Tenants have paid \$3,000.00 to the Landlord since the application was filed.
5. The rent arrears owing to May 31, 2026 are \$10,154.56.

6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. The Landlord collected a rent deposit of \$3,116.17 from the Tenants 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.
8. Interest on the rent deposit, in the amount of \$118.06 is owing to the Tenants for the period from October 1, 2024, to May 12, 2026.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenants is terminated. The Tenants must move out of the rental unit on or before May 31, 2026.
2. If the unit is not vacated on or before May 31, 2026, then starting June 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
3. 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 June 1, 2026.
4. The Tenants shall pay the Landlord any rent arrears owing up to the date of the hearing 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 Tenants.
5. As of the date of the hearing, the Tenants owe the Landlord \$5,172.38. See Schedule 1 for the calculation of the amount owing.
6. The Tenants shall also pay the Landlord compensation of \$105.01 per day for the use of the unit starting May 13, 2026 to the date the Tenants move out of the unit.
7. If the Tenants do not pay the Landlord the full amount owing on or before May 31, 2026, the Tenants will start to owe interest. This will be simple interest calculated from June 1, 2026 at 4.00% annually on the balance outstanding.

May 15, 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 of the Tenants 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 Tenants must pay as the tenancy is terminated

Rent Owing To May 12, 2026	\$11,220.61
Application Filing Fee	\$186.00
Less the amount the Tenants paid to the Landlord since the application was filed	-\$3,000.00
Less the amount of the last month's rent deposit	-\$3,116.17
Less the amount of the interest on the last month's rent deposit	-\$118.06
Total amount owing to the Landlord	\$5,172.38
Plus daily compensation owing for each day of occupation starting May 13, 2026	\$105.01 (per day)