



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

File Number: LTB-L-016460-26

In the matter of: 2509-252 Victoria St.
Toronto, ON M5B1V8

Between: HNR Dundas Square Tower Limited Landlord

And

Alessandro D'Agostini Tenant
Fidel Dilan Danell Arce

HNR Dundas Square Tower Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Alessandro D'Agostini and Fidel Dilan Danell Arce (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The Landlord also claimed charges related to NSF cheques.

This application was heard by videoconference on May 19, 2026.

The Landlord's Legal Representative, Emily Barbati, the Tenant, Fidel Dilan Danell Arce (on his own behalf and on behalf of Tenant Alessandro D'Agostini), and the guarantor, Dhillon Jaggernauth, attended the hearing.

The Tenant declined to 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. The Tenant was in possession of the rental unit on the date the application was filed.
3. The Tenant vacated the rental unit on April 30, 2026. Rent arrears are calculated up to the date the Tenant vacated the unit.
4. The lawful rent is \$3,970.00. It was due on the 1st day of each month.
5. The Tenant has paid \$4,172.00 to the Landlord since the application was filed.
6. The rent arrears owing to April 30, 2026, are \$9,058.00.
7. The Landlord is entitled to \$140.00 to reimburse the Landlord for administration charges and \$160.00 for bank fees the Landlord incurred as a result of 7 cheques given by or on behalf of the Tenant which were returned NSF.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
9. The Landlord collected a rent deposit of \$4,120.00 from the Tenant and this deposit is still being held by the Landlord. The rent deposit is applied to the arrears of rent because the tenancy terminated.
10. Interest on the rent deposit, in the amount of \$100.98 is owing to the Tenant for the period from March 1, 2025, to April 30, 2026.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenant is terminated as of April 30, 2026, the date the Tenant moved out of the rental unit.
2. The Tenant shall pay to the Landlord \$5,323.02. This amount includes rent arrears owing up to the date the Tenant moved out of the rental unit and the cost of filing the application and unpaid NSF charges. The rent deposit and interest the Landlord owes on the rent deposit is deducted from the amount owing by the Tenant.
3. The Tenant shall pay to the Landlord the amount set out in paragraph 2 in accordance with the following schedule:

Payment #	Payment Date (on or before)	Payment Amount	Balance
1	June 30, 2026	\$2,500.00	\$2,823.02
2	June 30, 2026	\$400.00	\$2,423.02
3	July 30, 2026	\$400.00	\$2,023.02

Payment #	Payment Date (on or before)	Payment Amount	Balance
4	August 30, 2026	\$400.00	\$1,623.02
5	September 30, 2026	\$400.00	\$1,223.02
6	October 30, 2026	\$400.00	\$823.02
7	November 30, 2026	\$400.00	\$423.02
8	December 15, 2026	\$423.02	\$0.00

4. If the Tenant fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 2 of this order shall become immediately due and owing.

May 22, 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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenant must pay as the tenancy is terminated

Rent Owing to Move Out Date, April 30, 2026	\$13,230.00
Application Filing Fee	\$186.00
NSF Charges	\$300.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$4,172.00
Less the amount of the last month's rent deposit	- \$4,120.00
Less the amount of the interest on the last month's rent deposit	- \$100.98
Total amount owing to the Landlord	\$5,323.02