



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

File Number: LTB-L-012756-26

In the matter of: 1106, 145 MARLEE AVE
YORK ON M6B3H3

Between: NUBURY PROPERTIES LIMITED Landlord

And

ALLISON AHUMADA Tenant

NUBURY PROPERTIES LIMITED (the 'Landlord') applied for an order to terminate the tenancy and evict ALLISON AHUMADA, COREENA SMITH AND SEBASTIAN OLIVARES CHAPMANSMITH (the 'Tenants') because the Tenant did not pay the rent that the Tenants owe.

The parties attended a hearing on April 28, 2026, by video conference, to which the parties elected to participate in Board facilitated mediation with the assistance of Dispute Resolution Officer (DRO) Roxanne Theriault.

The Landlord's Legal Representative, Eric Steinman and the Tenant, Allison Ahumada were present.

As a result of the resolution discussion, the parties mutually agreed to resolve all matters at issue 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 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. The parties agreed to remove Coreena Smith and Sebastian Olivares Chapmansmith as parties to the application.
3. As of the hearing date, the Tenant was still in possession of the rental unit.
4. The lawful rent is \$2,179.62. It is due on the 1st day of each month.
5. Based on the Monthly rent, the daily rent/compensation is \$71.66. This amount is calculated as follows: \$2,179.62 x 12, divided by 365 days.

6. The Tenant has paid \$1,279.62 to the Landlord since the application was filed.
7. The rent arrears owing to April 30, 2026, are \$8,279.62.
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 \$2,126.63 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.
10. The parties agreed to a termination date of December 31, 2026, provided the Tenants pay the lawful monthly rent on the 1st day of each month for the period May 1, 2026 to December 1, 2026.

It is ordered on consent 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 in accordance with schedule 1.**
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 as ordered. The Tenant may only make this motion once during the tenancy.
4. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$5,962.60. This amount includes rent arrears owing 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.
5. The Tenant shall also pay the Landlord compensation of \$71.66 per day for the use of the unit starting April 29, 2026, until the date the Tenant moves out of the unit.
6. If the Tenant does not pay the Landlord the full amount owing on or before December 31, 2026, the Tenant will start to owe interest. This will be simple interest calculated from January 1, 2027, at 4.00% annually on the outstanding balance.
7. If the unit is not vacated on or before December 31, 2026, then starting January 1, 2027, 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 January 1, 2027.

Additional terms:

9. The Tenant shall pay to the Landlord new rent on 1st day of each month from May 2026 to December 2026.
10. If the Tenant fails to make any of the payments in accordance with paragraph 9, 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. The Landlord must make the application within 30 days of a breach of a condition set out in paragraph 9 of this order. This may result in the Board issuing an order that terminates the tenancy before December 31, 2026.

May 27, 2026

Date Issued

Roxanne Theriault

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 July 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 1, 2026

Rent Owing To May 31, 2026	\$11,738.86
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,279.62
Total the Tenant must pay to continue the tenancy	\$10,645.24

B. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before June 1, 2026

Rent Owing To June 30, 2026	\$13,918.48
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,279.62
Total the Tenant must pay to continue the tenancy	\$12,824.86

C. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before July 1, 2026

Rent Owing To July 31, 2026	\$16,098.10
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,279.62
Total the Tenant must pay to continue the tenancy	\$15,004.48

D. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before August 1, 2026

Rent Owing To August 31, 2026	\$18,277.72
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,279.62
Total the Tenant must pay to continue the tenancy	\$17,184.10

E. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before September 1, 2026

Rent Owing To September 30, 2026	\$20,457.34
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,279.62

Total the Tenant must pay to continue the tenancy	\$19,363.72
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F. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before October 1, 2026

Rent Owing To October 31, 2026	\$22,636.96
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,279.62
Total the Tenant must pay to continue the tenancy	\$21,543.34

G. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before November 1, 2026

Rent Owing To November 30, 2026	\$24,816.58
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,279.62
Total the Tenant must pay to continue the tenancy	\$23,722.96

H. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before December 1, 2026

Rent Owing To December 31, 2026	\$26,996.20
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,279.62
Total the Tenant must pay to continue the tenancy	\$25,902.58

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

Rent Owing To Hearing Date	\$9,386.10
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,279.62
Less the amount of the last month's rent deposit	- \$2,126.63
Less the amount of the interest on the last month's rent deposit	- \$203.25
Total amount owing to the Landlord	\$5,962.60
Plus daily compensation owing for each day of occupation starting April 29, 2026	\$71.66 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	

