



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

File Number: LTB-L-021167-26

In the matter of: 901, 2099 LAWRENCE AVENUE WEST
YORK ON M9N1H9

Between: HERSZ PROPERTIES LIMITED Landlord

And

JOAO SILVA Tenant

HERSZ PROPERTIES LIMITED (the 'Landlord') applied for an order to terminate the tenancy and evict JOAO SILVA (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was scheduled to be heard by videoconference on May 26, 2026. On that date the parties agreed to participate in Board facilitated mediation with the assistance of Dispute Resolution Officer (DRO) Rachael Kukoyi.

The Landlord's Representative, Sean D. Beard, the Tenant's Representative, Kristopher Flores, and the Tenant, Joao Silva, participated in the mediation.

As a result of the mediation the parties requested a consent order, and I am satisfied that the parties understand the consequences of their consent.

The Parties Agreed That:

1. As of the hearing date, the Tenant was still in possession of the rental unit.
2. The lawful rent is \$1,535.21. It is due on the 1st day of each month.
3. Based on the Monthly rent, the daily rent/compensation is \$50.47. This amount is calculated as follows: $\$1,535.21 \times 12$, divided by 365 days.
4. The Tenant has paid \$3,033.26 to the Landlord since the application was filed.
5. The rent arrears owing to May 31, 2026, are \$1,707.83.
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 \$1,358.48 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.
8. Interest on the rent deposit, in the amount of \$11.41 is owing to the Tenant for the period from January 1, 2026, to May 26, 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:**

- \$1,893.83 if the payment is made on or before May 31, 2026. See Schedule 1 for the calculation of the amount owing.

OR

- \$3,429.04 if the payment is made on or before June 15, 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 June 15, 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 June 15, 2026.**
 5. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$300.95. 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 \$50.47 per day for the use of the unit starting May 27, 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 June 15, 2026, the Tenant will start to owe interest. This will be simple interest calculated from June 16, 2026, at 4.00% annually on the balance outstanding.
 8. If the unit is not vacated on or before June 15, 2026, then starting June 16, 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 June 16, 2026.

May 28, 2026
Date Issued

Rachael Kukoyi
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 16, 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 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	\$4,741.09
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$3,033.26
Total the Tenant must pay to continue the tenancy	\$1,893.83

B. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before June 15, 2026

Rent Owing to June 30, 2026	\$6,276.30
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$3,033.26
Total the Tenant must pay to continue the tenancy	\$3,429.04

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

Rent Owing to Hearing Date	\$4,518.10
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$3,033.26
Less the amount of the last month's rent deposit	- \$1,358.48
Less the amount of the interest on the last month's rent deposit	- \$11.41
Total amount owing to the Landlord	\$300.95
Plus daily compensation owing for each day of occupation starting May 27, 2026	\$50.47 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	