



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

File Number: LTB-L-024144-26

In the matter of: UPPER UNIT, 153 FERGUS AVE
KITCHENER ON N2A2H4

Between: Benno Kayyalakam Landlords
Nina Kayyalakam

And

Novac Caldarar Tenants
Grancea Voichita

Benno Kayyalakam and Nina Kayyalakam (the 'Landlords') applied for an order to terminate the tenancy and evict Novac Caldarar and Grancea Voichita (the 'Tenants') because the Tenants did not pay the rent that the Tenants owes (L1 Application); and

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

This application was scheduled to be heard by videoconference on May 26, 2026.

The Landlords Representative, Howard Tavroges, was present. The Tenants attended with the Tenants Support, Grancea (Sinorina) Voichita.

The parties mutually agreed to resolve all the issues in the application and requested an order on consent confirming their agreement. I am satisfied that the parties understood the terms and consequences of their consent as set out in the order below.

The Parties agree that:

1. The lawful rent is \$2,600.00. It is due on the 1st day of each month.
2. Based on the Monthly rent, the daily rent/compensation is \$85.48. This amount is calculated as follows: \$2,600.00 x 12, divided by 365 days.
3. The rent arrears owing to May 31, 2026, are \$13,000.00.
4. The Landlords incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

5. The Landlords collected a rent deposit of \$2,600.00 from the Tenants, and this deposit is still being held by the Landlords. The rent deposit is applied to the last rental period of the tenancy, June 2026.
6. Interest on the rent deposit, in the amount of \$30.22, is owing to the Tenants for the period from November 6, 2025, to May 26, 2026.
7. This order is a final, non-voidable termination of this tenancy based on the parties agreement to terminate the tenancy. The application is amended to include an L3 application for termination of the tenancy. Therefore, 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.

It is ordered on consent that:

1. The tenancy between the Landlords and the Tenants is terminated. The Tenants must move out of the rental unit on or before June 30, 2026.
2. If the unit is not vacated on or before June 30, 2026, then starting July 1, 2026, the Landlords 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 Landlords on or after July 1, 2026.
4. The Tenants shall pay the Landlords \$13,155.78. This represents rent arrears owing up to the date of the hearing and the cost of filing the application. The interest the Landlords owe on the rent deposit is deducted from the amount owing by the Tenants.
5. If the Tenants do not pay the Landlords the full amount owing in paragraph 4 of this order, on or before June 30, 2026, the Tenants will start to owe interest. This will be simple interest calculated from July 1, 2026, at 4.00% annually on the balance outstanding.

June 2, 2026

Date Issued

Eno Ubia

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 January 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.