



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

File Number: LTB-L-012247-26

In the matter of: 903, 132 KINGSTON RD W
AJAX ON L1T3W5

Between: Ashley Manor Housing Corporation Landlord

And

Jennifer Kerr Tenant
David Agati

Ashley Manor Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Jennifer Kerr and David Agati (the 'Tenant') because:

- the Tenants, another occupant of the rental unit or someone the Tenants permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant

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

The application was scheduled to be heard on May 28, 2026, by video conference, at which the parties decided to participate in Board facilitated mediation with the assistance of Dispute Resolution Officer/Hearings Officer, Michelle Forrester.

The Landlord's Agent, Gail Collymore, the Tenants were present.

The parties agreed to resolve all matters raised in the application and requested an order on consent. I am satisfied that the parties understood the terms and consequences of their consent.

Agreed facts:

1. The Tenants were in possession of the rental unit on the date the application was filed.
2. On January 23, 2026, the Landlord gave the Tenants an N5 notice of termination.
3. Based on the monthly rent, the daily compensation is \$7.17. This amount is calculated as follows: \$218.00 x 12, divided by 365 days.
4. There is no last month's rent deposit.

5. The parties have mutually agreed to a nonvoidable order with an eviction date of November 30, 2026.

On consent of the parties, it is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before November 30, 2026.
2. If the unit is not vacated on or before November 30, 2026, then starting December 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 December 1, 2026.

Additional conditions:

4. The Tenants, Tenants' guests and occupants shall comply with the following conditions starting the date of this order up to and including November 30, 2026:
 - a) The Tenants, the Tenants' guests, and occupants shall not smoke on the balcony at any time.
 - b) The Tenants shall ensure that the dogs shall not create excessive noise or disturbances, including persistent barking. Barking must be kept to a reasonable minimum.
 - c) The Tenants shall not engage in excessive yelling, shouting, or other disruptive behaviour within the rental unit.
5. If the Tenants fail to comply with the conditions set out in paragraph 4 of this order, the Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant. The Landlord must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Tenant. This may result in the Board issuing an order that terminates the tenancy before November 30, 2026.
6. The Tenant shall also pay the Landlord compensation of \$7.17 per day for the use of the unit starting May 29, 2026 until the date the Tenant moves out of the unit.

June 4, 2026
Date Issued

Michelle Forrester
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 Tenant expires on June 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.