



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

File Number: LTB-L-024788-26

In the matter of: 609, 41 JOHNSON ST
BARRIE ON L4M0L6

Between: MetCap Living Management Inc. Landlord

And

Andres Calderon Echeverri Tenants
Kendra Myers

MetCap Living Management Inc. (the 'Landlord') applied to the Landlord and Tenant Board ('LTB') for an order to terminate the tenancy and evict Andres Calderon Echeverri and Kendra Myers (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was scheduled to be heard by videoconference on June 2, 2026. Christine Daniel, Licenced Paralegal, represented the Landlord. Andres Calderon Echeverri attended on behalf of both Tenants.

Prior to the start of the hearing, the parties engaged in a private discussion and resolved the application. The parties requested the LTB issue an Order on consent confirming their agreement. I, as Dispute Resolution Officer and Hearing Officer, am satisfied that the parties understood the terms of their consent as set out in the Order below.

The parties agreed that:

- a. This order is a final, non-voidable termination of this tenancy and the Tenants must vacate the rental unit on or before July 31, 2026. As a consequence, 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.
- b. The Landlord served the Tenants with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice).
- c. As of the hearing date, the Tenants were still in possession of the rental unit.
- d. The lawful rent is \$1,965.60. It is due on the 1st day of each month.

- e. Based on the Monthly rent, the daily rent/compensation is \$64.62. This amount is calculated as follows: $\$1,965.60 \times 12$ months, divided by 365 days. Per diem compensation will commence June 3, 2026 until the date the Tenants vacates the unit.
- f. The Tenants have not made any payments since the application was filed.
- g. The rent arrears owing to June 30, 2026, are \$9,972.60. However, since the tenancy is terminated, the arrears will be calculated up to the date of the hearing.
- h. The Tenants shall pay the Landlord incurred costs of \$186.00 for filing the application.
- i. The Landlord is holding a rent deposit of \$1,965.60 from the Tenants. This will be deducted from the amount owing to the Landlord.
- j. Interest on the rent deposit, in the amount of \$36.64 is owing to the Tenants for the period from July 14, 2025 to June 2, 2026. This amount will be deducted from the total amount owing to the Landlord.

On consent of the parties, it is ordered that:

- 1. The tenancy between the Landlord and the Tenants is terminated. The Tenants must vacate the rental unit on or before July 31, 2026.
- 2. If the unit is not vacated on or before July 31, 2026, then starting August 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 August 1, 2026.
- 4. The Tenants shall pay to the Landlord \$6,320.00. 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 Tenants. See Schedule 1 for the calculation of the amount owing.
- 5. The Tenants shall also pay the Landlord compensation of \$64.62 per day for the use of the unit starting June 3, 2026 until the date the Tenants move out of the unit.
- 6. If the Tenants do not pay the Landlord the full amount owing on or before July 31, 2026, the Tenants will start to owe interest. This will be simple interest calculated from August 1, 2026 at 4.00% annually on the balance outstanding.

June 4, 2026
Date Issued

Joanne Lolato
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 February 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 Tenants must pay if the tenancy is terminated

Rent Owing To Hearing Date	\$8,136.24
Application Filing Fee	\$186.00
Less the amount of the last month's rent deposit	- \$1,965.60
Less the amount of the interest on the last month's rent deposit	- \$36.64
Total amount owing to the Landlord	\$6,320.00
Plus daily compensation owing for each day of occupation starting June 3, 2026	\$64.62 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	