



**Amended Order
Order under Section 69
Residential Tenancies Act, 2006
And Section 21.1 of the Statutory Powers Procedure Act**

File Number: LTB-L-012492-26
LTB-L-027494-26

In the matter of: 202, 60 YORK ST
WELLAND ON L3B4A8

Between: Niagara Regional Housing Landlord

And

Fredrick Kingma Tenant

Niagara Regional Housing (the 'Landlord') applied for an order to terminate the tenancy and evict Fredrick Kingma (the 'Tenant') because:

- The Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant (LTB-L-012492-26);
- The Tenant's behaviour or the behaviour of someone visiting or living with the Tenant has seriously impaired the safety of another person and this behaviour occurred in the residential complex (LTB-L-027494-26).

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

This application was to be heard by videoconference on May 26, 2026. The Landlord's representative, Judith Callender, **the Landlord's agent Melissa Colitti**, ~~The Landlord, Dino Kolar~~ and the Tenant's representative, ~~Connie Sawyer~~ attended the hearing.

The parties elected to participate in Board facilitated mediation with the assistance of Dispute Resolution Officer (DRO) John Russett. The parties agreed to resolve the issues in the Landlord's application and requested the LTB to issue a Consent Order confirming their agreement.

I was satisfied that the parties understood the consequences of the Consent.

This amended order is issued to correct clerical errors in the original order issued on June 1, 2026.

The parties agree that:

1. The Tenant was in possession of the rental unit on the date the application was filed.
2. The parties agreed to a non-voidable eviction order with a termination date of August 1, 2026.
3. The lawful rent is \$140.00. It is due on the 1st day of each month.
4. Based on the monthly rent, the daily compensation is \$4.73. This amount is calculated as follows: \$144.00 x 12, divided by 365 days.
5. The parties also agreed to resolve the Landlord's Application file number, LTB-L-027494-26 that was to be heard August 12, 2026.
6. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
7. There is no last month's rent deposit.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before August 1, 2026.
2. If the unit is not vacated on or before August 1, 2026, then starting August 2, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
3. The Tenant shall also pay the Landlord compensation of \$4.73 per day for the use of the unit starting August 2, 2026, until the date the Tenant moves out of the unit.
4. 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 2, 2026.
5. For the duration of the tenancy commencing the day of the hearing, May 25, 2026. The Tenant, occupants or guests shall not substantially interfere with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant which includes but is not limited to:
 - a. The Tenant, occupants, and guests shall not cause noise disturbance in the residential unit and complex such as screaming, yelling, or shouting;
 - b. The Tenant, occupants, and guests shall not leave bicycles or other objects in the common areas of the residential complex:
 - c. The Tenant, occupants, and guests shall not keep fire doors open: and

- d. The Tenant, occupants and guests shall not throw articles from the balcony.
6. If the Tenant fails to comply with the conditions set out in paragraph 5 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. This may result in the Board issuing an order that terminates the tenancy before August 1, 2026.
7. If the Tenant complies with the conditions set out in paragraph 5 of this order the Landlord shall waive the application fee of \$186.00.
8. If the Tenant breaches the conditions set out paragraph 5 of this order, the application filing fee of \$186.00 will become immediately due and payable and the Tenant will start to owe interest. This will be simple interest calculated at a rate of 4.00% annually on the balance outstanding starting the day following the date of default.

June 1, 2026

Date Issued

June 8, 2026

Date Amended

John Russett

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 February 2, 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.

