



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-020027-26

In the matter of: B212, 220 IRA NEEDLES BLVD
KITCHENER ON N2N0C6

Between: BenStar (No.1) Limited Partnership Landlord

And

Olumayowa Olasimbo Tenants
Brandon Twaddle

BenStar (No.1) Limited Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Olumayowa Olasimbo, Kayla Rach and Brandon Twaddle (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was heard by videoconference on May 13, 2026.

The Landlord's legal representative, Kundai Govereh and the Tenants attended the hearing.

The parties consented to the following order.

Determinations:

Amending the application-removal of Tenant Kayla Rach

1. At the hearing, Kayla Rach ('KR') testified that she vacated the rental unit on January 26, 2026, after providing notice of her intention to vacate to the Landlord. The Landlord's representative did not dispute KR's evidence and consented to her removal as a respondent to the application. Based on the uncontested evidence before me, I am satisfied that KR was not in possession of the rental unit during the period for which the rental arrears claimed in the N4 Notice and the application accrued. Accordingly, I find that KR is not responsible for the arrears claimed by the Landlord and she is removed as a respondent to the application.
2. Brandon Twaddle ('BT') testified that he has not resided in the rental unit for several weeks. However, BT did not provide notice to the Landlord of his intention to vacate the rental unit. The Landlord's representative did not consent to BT's removal from the application. In the absence of evidence that BT's tenancy was terminated in accordance with the *Residential Tenancies Act, 2006*, or that the Landlord otherwise released BT from

his obligations under the tenancy agreement, I am not satisfied that BT should be removed as a respondent. Accordingly, BT remains a party to the application.

3. As of the hearing date, the Tenants were still in possession of the rental unit.
4. The lawful rent is \$3,272.00. It is due on the 1st day of each month.
5. Based on the Monthly rent, the daily rent/compensation is \$107.57. This amount is calculated as follows: \$3,272.00 x 12, divided by 365 days.
6. The Tenants have paid \$1,880.00 to the Landlord since the application was filed.
7. The rent arrears owing to May 31, 2026 are \$9,038.00.
8. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
9. The Landlord collected a rent deposit of \$3,272.00 from the Tenants 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.
10. Interest on the rent deposit, in the amount of \$25.04 is owing to the Tenants for the period from January 1, 2026 to May 13, 2026.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenants is terminated on June 30, 2026. The Tenants must move out of the rental unit on or before June 30, 2026.
2. The last month's rent deposit is to be applied to the June 2026 rent.
3. The Tenants shall pay to the Landlord \$9,198.96, representing arrears owing to May 31, 2026, the application filing fee and interest owing to the Tenants.
4. The Tenants shall also pay the Landlord compensation of \$107.57 per day for the use of the unit starting July 1, 2026 until the date the Tenants move out of the unit.
5. If the Tenants do not pay the Landlord the full amount owing 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.
6. If the unit is not vacated on or before June 30, 2026, then starting July 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
7. 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 July 1, 2026.

June 11, 2026
Date Issued

Christina Philp
Member, 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 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.