



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-029264-26

LTB-L-035214-26

In the matter of: 3, 485 WELLINGTON ST W
Sault Ste. Marie ON P6C 3T4

Between: DANIEL Mark MCKEE Landlord

And

Mitchell Hilderley Tenant

DANIEL Mark MCKEE (the 'Landlord') applied for an order to terminate the tenancy and evict Mitchell Hilderley (the 'Tenant') because:

- the Tenant did not pay the rent that the Tenant owes (L1 Application – LTB-L-035214-26); and
- the Tenant has been persistently late in paying the Tenant's rent; (L2 Application -LTB-L-029264-26).

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

This application was heard by videoconference on June 3, 2026. The Landlord, Daniel Mark McKee, and the Tenant, Mitchell Hilderley, attended the hearing. The Tenant did not seek legal advice prior to the hearing.

At the hearing, the parties engaged in mediation. As a result of the resolution discussion, the parties mutually agreed to resolve all matters at issue in the application and requested an order on consent. I was satisfied that the parties understood the terms and consequences of their consent.

Agreed Facts:

1. This order also resolves L1 application LTB-L-035214-26. As a result, no further hearing will be held for this matter.
2. As of the hearing date, the Tenant was still in possession of the rental unit.

3. The lawful rent is \$1,050.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$34.52. This amount is calculated as follows: $\$1,050.00 \times 12 \text{ months}$, divided by 365 days.
5. The Tenant has paid \$450.00 to the Landlord since the application was filed.
6. The rent arrears owing to June 30, 2026, are \$3,225.00.
7. The Landlord waives the filing fee of \$186.00.
8. The Landlord collected a rent deposit of \$1,050.00 from the Tenant 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.
9. Interest on the rent deposit, in the amount of \$28.05 is owing to the Tenant for the period from May 8, 2025, to June 30, 2026.

On consent, it is ordered that:

1. The L2N8 application, LTB-L-029364-26 is withdrawn.
2. The tenancy between the Landlord and Tenant is terminated, and the Tenant must move out of the rental unit on or before **June 30, 2026**.
3. 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.
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 July 1, 2026.
5. The Tenant shall pay to the Landlord \$2,146.95. This amount includes rent arrears owing up to June 30, 2026. The rent deposit (\$1,050.00) and interest (\$28.05) the Landlord owes on the rent deposit are deducted from the amount owing by the Tenant.
6. The Tenant shall pay to the Landlord the amount set out in paragraph 5 in accordance with the following schedule:
 - \$300.00 on or before July 30, 2026
 - \$300.00 on or before the 15th day of each month, August 15, 2026, to January 15, 2027. (6 months)
 - \$62.05 on or before February 15, 2026.
7. The Tenant shall also pay the Landlord compensation of \$34.52 per day for the use of the unit starting July 1, 2026, to the date the Tenant moves out of the unit.

8. The Tenant will start to owe simple interest calculated at 4.00% annually on the balance outstanding, starting the day after the first payment was missed. The Landlord has the right to collect the balance outstanding under this Order on Consent.

June 16, 2026
Date Issued

Pauline Brewster
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 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.