



**Order under Section 78(11)
Residential Tenancies Act, 2006**

File Number: LTB-L-033480-26-SA

In the matter of: 124, 7280 DARCEL AVE
MISSISSAUGA ON L4T3T7

Between: MetCap Living Management Inc. Landlord

And

Mathew Garner Tenant

MetCap Living Management Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Mathew Garner (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the order issued by the LTB on March 27, 2026 with respect to application LTB-L-000850-26.

The Landlord's application was resolved by order LTB-L-033480-26, issued on April 20, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-033480-26.

This motion was heard by videoconference on June 15, 2026.

The Landlord's Legal Representative, S. Enriques, the Tenant's Agent, K. Garner, and the Tenant attended the hearing.

The parties before the LTB consented to the following order.

On consent, it is ordered that:

1. The motion to set aside Order LTB-L-033480-26, issued on April 20, 2026, is granted.
2. Order LTB-L-033480-26, issued on April 20, 2026, is set aside and cannot be enforced.
3. The tenancy between the Landlord and the Tenant is terminated unless the Tenant voids this order.
4. **The Tenant may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**

- \$6,354.31 if the payment is made on or before June 30, 2026. See Schedule 1 for the calculation of the amount owing.
5. The Tenant may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenant has paid the full amount owing as ordered plus any additional rent that became due after June 30, 2026 but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenant may only make this motion once during the tenancy.
 6. **If the Tenant does not pay the amount required to void this order the Tenant must move out of the rental unit on or before June 30, 2026.**
 7. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$4,247.78. 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 Tenant. See Schedule 1 for the calculation of the amount owing.
 8. The Tenant shall also pay the Landlord compensation of \$46.31 per day for the use of the unit starting June 16, 2026 until the date the Tenant moves out of the unit.
 9. If the Tenant does not pay the Landlord the full amount owing on or before June 30, 2026, the Tenant will start to owe interest. This will be simple interest calculated from July 1, 2026 at 4.00% annually on the balance outstanding.
 10. 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.
 11. 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 19, 2026
Date Issued

Lisa Del Vecchio
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.

Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenant must pay to void the eviction order and continue the tenancy if the payment is made on or before June 30, 2026

Rent Owing To June 30, 2026	\$9,684.74
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$3,516.43
Total the Tenant must pay to continue the tenancy	\$6,354.31

B. Amount the Tenant must pay if the tenancy is terminated

Rent Owing To Hearing Date	\$8,970.93
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$3,516.43
Less the amount of the last month's rent deposit	- \$1,362.92
Less the amount of the interest on the last month's rent deposit	- \$29.80
Total amount owing to the Landlord	\$4,247.78
Plus daily compensation owing for each day of occupation starting June 16, 2026	\$46.31 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	