



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

File Number: LTB-L-032672-26

& LTB-L-034978-26

In the matter of: 1412, 265 MAIN ST
TORONTO ON M4C4X3

Between: Victoria Wood (Main Square) Inc. Landlord

And

Suzanne McAulay Tenant
John McAulay

Victoria Wood (Main Square) Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Suzanne McAulay and John McAulay (the 'Tenant') because:

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

This application was to be heard by videoconference on June 15, 2026. The Landlord's representative, Martin Zarnett, the Landlord's property manager, Alice Capitan, and the Tenants, Suzanne McAulay and John McAulay attended the hearing. The Tenants did not speak with Tenant Duty Counsel before the start of mediation.

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.

The parties agree that:

1. The parties agree to add John McAulay as a Tenant.
2. The parties also elected to resolve (L1 Application) LTB-L-034978-26 that was to be heard July 6, 2026
3. As of the hearing date, the Tenants were still in possession of the rental unit.

4. On June 1, 2026, the rent was reduced from \$1,733.88 to \$1,626.20 per month due to a parking spot being removed. It is due on the 1st day of each month.
5. The Tenants have only parking spot
6. Based on the Monthly rent, the daily rent/compensation is \$53.46. This amount is calculated as follows: \$1,626.20 x 12, divided by 365 days.
7. The Tenants have paid \$5,401.79 to the Landlord since the application was filed.
8. The rent arrears owing to July 31, 2026, are \$3,549.58.
9. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
10. The Landlord collected a rent deposit of \$380.43 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.
11. Interest on the rent deposit, in the amount of \$4.09 is owing to the Tenant for the period from January 1, 2026 to July 6, 2026.

It is ordered on consent that:

L1 Application – Non-Payment of Rent

1. The tenancy between the Landlord and the Tenants is terminated unless the Tenants void this order.
2. **The Tenants may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**
 - \$3,735.58 if the payment is made on or before June 30, 2026. See Schedule 1 for the calculation of the amount owing.
3. The Tenants may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenants have 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.
4. **If the Tenants do not pay the amount required to void this order the Tenants must move out of the rental unit on or before June 30, 2026.**
5. If the Tenants do not void the order, the Tenants shall pay to the Landlord \$2,526.76. 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.
6. The Tenants shall also pay the Landlord compensation of \$53.46 per day for the use of the unit starting June 16, 2026, until the date the Tenants moves out of the unit.

7. 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.
8. 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.
9. 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.

L2 Application – Persistent Late Payment of Rent

10. If the Tenants void the L1 portion of the order in accordance with paragraph two above, the tenancy shall continue on the following terms.
11. The Tenants shall pay the Landlord the monthly rent due on or before the first day of the month for the period July 1, 2026 for a period of twelve (12) consecutive months until June 1, 2027.
12. If the Tenants fail to make any of the payments in paragraph 11 above, the Landlord may apply under section 78 of the Act, within 30 days of the breach and without notice to the Tenants, for an order terminating the tenancy and evicting the Tenants.

June 22, 2026
Date Issued

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 January 4, 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.

1 Schedule 1
SUMMARY OF CALCULATIONS

A. Amount the Tenants 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	\$8,951.37
Application Filing Fee	\$186.00
Less the amount the Tenants paid to the Landlord since the application was filed	- \$5,401.79
Total the Tenants must pay to continue the tenancy	\$3,735.58

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

Rent Owing to Hearing Date	\$8,127.17
Application Filing Fee	\$186.00
Less the amount the Tenants paid to the Landlord since the application was filed	- \$5,401.79
Less the amount of the last month's rent deposit	- \$380.43
Less the amount of the interest on the last month's rent deposit	- \$3.63
Total amount owing to the Landlord	\$2,526.76
Plus daily compensation owing for each day of occupation starting June 16, 2026	\$53.46 (per day)
**Ongoing daily compensation continues to accumulate until the total amount owing (excluding costs) is \$50,000.00.	