



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-072497-25

In the matter of: Apt # 2, 183 CLERGY ST E
KINGSTON ON K7K3S6

Between: Norman Lee Landlord

and

Sean Kelly Tenant

Norman Lee (the 'Landlord') applied for an order to terminate the tenancy and evict Sean Kelly (the 'Tenant') because the Tenant has been persistently late in paying the Tenant's rent.

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

This application was scheduled to be heard by videoconference on June 18, 2026. Instead, the Tenant, assisted by Tenant Duty Counsel Lauren Thompson, the Landlord, the Landlord's son/Translator Brian Lee and the Landlord's Legal Representative James Moak engaged in private settlement discussions. Parties reached an agreement and requested an order on consent to resolve the application.

The parties agreed that:

1. In exchange for termination of the tenancy, the Landlord is waiving the lawful rent for July 2026, August 2026, September 2026 and October 2026.
2. If the Tenant provides vacant possession by October 31, 2026 proven by leaving the keys in the rental unit and sending an email on or before October 31, advising the Landlord that the unit is vacant then the Tenant will receive \$7,507.00.
3. The \$7,507.00 represents, the last month's rent deposit, the interest owing on the last month's rent deposit and compensation for all issues between the parties related to the tenancy to date.
4. If the Tenant does not vacate the rental unit on or before October 31, 2026, then the Tenant will not receive any compensation.

On consent of the parties, it is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before October 31, 2026.

2. If the unit is not vacated on or before October 31, 2026, then starting November 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
3. 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 November 1, 2026.
4. If the Tenant vacates the rental unit and provides vacant possession of the unit to the Landlord on or before October 31, 2026, then the Landlord shall pay the Tenant \$7,507.00.
5. If the Tenant vacates the rental unit and provides vacant possession of the unit to the Landlord on or before October 31, 2026, and the Landlord does not pay the Tenant \$7,507.00 in full, then the outstanding balance becomes immediately due and payable and the balance will begin to accrue interest. This will be simple interest calculated at the post-judgment interest rate determined under paragraph 207(7) of the Residential Tenancies Act, 2006 starting November 1, 2026.

June 25, 2026
Date Issued

Lindsay Phomin
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 May 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.