



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

File Number: LTB-L-035564-26

In the matter of: 111, 3421 WEINBRENNER RD
NIAGARA FALLS ON L2G7K6

Between: Weinbrenner Place Inc. Landlord

And

Nicole Marie Voogt Tenant

Weinbrenner Place Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Nicole Marie Voogt (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was to be heard by videoconference on June 24, 2026. The Landlord's agent, Gabriela Fuccillo, and the Tenant, Nicole Marie Voogt attended the hearing. The Tenant 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. As of the hearing date, the Tenant was still in possession of the rental unit.
2. The parties requested a non-voidable eviction order with an eviction date of June 30, 2026.
3. The lawful rent is \$2,035.00. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$66.90. This amount is calculated as follows: \$2,035.00 x 12, divided by 365 days.
5. The Tenant has paid \$1,450.00 to the Landlord since the application was filed.
6. The rent arrears owing to June 30, 2026, are \$6,183.00.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

8. The Landlord collected a rent deposit of \$2,035.00 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 \$57.37 is owing to the Tenant for the period from February 20, 2025, to June 1, 2026.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenant is terminated
2. The Tenant shall pay to the Landlord \$2,827.00. This amount includes rent arrears owing up to the date of the hearing and the cost of filing the application. The Tenant paid to the Landlord since the application was filed, 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.
4. The Tenant shall pay to the Landlord amount owing of \$2,827.00 paragraph 2 of this order above for arrears of rent to June 30, 2026, which includes the application filing fee of \$186.00 as follows:
 - a. \$500.00 on or before the twentieth (20) day of each month starting July 20, 2026, for a period of five (5) consecutive months until November 20, 2026; and
 - b. The balance outstanding of \$327.00 on or before December 20, 2026.
5. If the Tenant fails to make any one of the payments in accordance with paragraph 4 of this order, the outstanding balance to be paid by the Tenant to the Landlord pursuant to paragraph 14 shall become immediately due and payable, and the Tenant will start to owe interest. This will be simple interest calculated in accordance with the Courts of Justice Act starting the day following the date of default at 4.00% annually on the balance outstanding.
6. The Tenant shall also pay the Landlord compensation of \$66.90 per day for the use of the unit starting July 1, 2026, until the date the Tenant moves out of the unit.
7. 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.
8. 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 30, 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 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 the tenancy is terminated

Rent Owing to June 30, 2026	\$6,183.00
Application Filing Fee	\$186.00
Less the amount the Tenant paid to the Landlord since the application was filed	- \$1,450.00
Less the amount of the last month's rent deposit	- \$2,035.00
Less the amount of the interest on the last month's rent deposit	- \$57.37
Total the Tenant must pay to continue the tenancy	\$2,827.00

v