



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-014551-25

In the matter of: 45 Keppel Circle S
Brampton ON L7A0B6

Between: Varghese Simon
Anita Varghese

And

Jamall Williams
Kimberley Byfield

I hereby certify this is a
true copy of an Order dated

May 26, 2025

Helen Giannini

Landlord and Tenant Board

Landlord

Tenant

Varghese Simon and Anita Varghese (the 'Landlord') applied for an order to terminate the tenancy and evict Jamall Williams and Kimberley Byfield (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

When the capitalized word "Landlord" is used in this order, it refers to all persons or companies identified as a Landlord in this decision's title of proceedings. When the capitalized word "Tenant" is used in this order, it refers to all persons identified as a Tenant in this decision's title of proceedings.

The application was scheduled to be heard by video conference on May 15, 2025. The Landlords attended and were represented by Sriram Rangan. The Tenants were also present. Prior to the hearing, the parties elected to participate in LTB facilitated mediation with the assistance of Helen Giannini, a Dispute Resolution Officer and Hearing Officer, with the Landlord and Tenant Board. 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.

The Parties agreed:

- a. The Landlord served the Tenant with a Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the N4 Notice or before the date the application was filed.
- b. As of the hearing date, the Tenant was still in possession of the rental unit.
- c. This consent order is a final, non-voidable termination of this tenancy based on the parties mutual agreement to terminate the tenancy on July 1, 2025.
- d. The lawful rent is \$3,300.00. The rent is due on the 15th day of each month.
- e. Based on the Monthly rent, the daily rent/compensation is \$108.49. This amount is calculated as follows: \$3,300.00 x 12, divided by 365 days.

- f. The rent arrears owing by the Tenant up to and including May 14, 2025, including the application filing fee are \$49,686.00.
- g. The Landlord collected a rent deposit of \$3,300.00 from the Tenant and this deposit is still being held by the Landlord and will be applied to the last rental period of the tenancy when the tenancy terminates. This will be applied to the period of May 15, 2025, to June 14, 2025
- h. In consideration of the Tenant's agreement to terminate, the rent owing until July 1, 2025, will be added to the arrears owing to the Landlord, resulting in the arrears being \$51,421.84.
- i. The Landlord was advised of Section 207(3) of the Act which states that if the party proceeds to obtain a Board Order at the maximum amount, that party extinguishes the right in excess of the Board's monetary jurisdiction. The Landlord acknowledged this and agreed that the amount owing is limited to \$35,000.00, plus costs.

It is ordered on consent that:

- 1. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before July 1, 2025.
- 2. The Tenant shall pay to the Landlord \$35,186.00, which represents the amount of rent owing up to July 1, 2025, including the application fee, less the rent deposit the Landlord owes on the rent deposit up to the limit of the Board's jurisdiction.
- 3. If the Tenant does not pay the Landlord the full amount owing on or before July 1, 2025, the Tenant will start to owe interest. This will be simple interest calculated from July 2, 2025, at 5.00% annually on the balance outstanding.
- 4. The Tenant shall also pay the Landlord compensation of \$108.49 per day for the use of the unit starting July 2, 2025, until the date the Tenant moves out of the unit.
- 5. If the unit is not vacated on or before July 1, 2025, then starting July 2, 2025, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
- 6. 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 2, 2025.

May 26, 2025
Date Issued


Helen Giannini
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 2, 2026, 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.