



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-095635-25

In the matter of: 306, 52 HAYDEN ST
HAMILTON ON L9A2X2

Between: Drake Property Management Landlord

And

Derek Burke Tenant

Drake Property Management (the 'Landlord') applied for an order to terminate the tenancy and evict Derek Burke (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 heard by videoconference on December 22, 2025, where the parties elected to participate in a Board facilitated mediation with the assistance of a Dispute Resolution Officer (DRO).

The Landlord's legal representative, David Ciobotaru and the Tenant participated in mediation however, parties reached consent prior to mediation. The parties agreed to resolve all matters raised in the application and requested an order on consent.

I am satisfied that the parties understand the terms and consequences of their consent.

On consent of the parties, it is ordered that:

1. The tenancy between the Landlord and the Tenant continues if the Tenant meet the condition set out below.
2. The Tenant shall pay to the Landlord lawful monthly rent on time and in full on or before the first day of each month for a 12-month period commencing January 1, 2026, up to and including December 1, 2026.
3. If the Tenant fails to comply with the condition set out in paragraph 2 of this order, the Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant. The Landlord must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Tenant.

4. On or before February 28, 2026, the Tenant shall also pay to the Landlord \$186.00 for the cost of filing the application.
5. If the Tenant does not pay the Landlord the full amount owing in accordance with paragraph 4 of this order, the Tenant will start to owe interest. This will be simple interest calculated from March 1, 2026, at 4.00% annually on the balance outstanding.

January 7, 2026

Date Issued

Oluwatobi Abobarin

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.