



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

File Number: LTB-L-101733-25

In the matter of: 502, 38 DIXINGTON CRES
ETOBICOKE ON M9P2K7

Between: DRAKE PROPERTY MANAGEMENT Landlord

And

JUAN RESTREFO Tenant
MARCELA GOMEZ

DRAKE PROPERTY MANAGEMENT (the 'Landlord') applied for an order to terminate the tenancy and evict JUAN RESTREFO and MARCELA GOMEZ (the 'Tenant') because:

- the Tenant has been persistently late in paying the Tenant's rent.

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 January 21, 2026. The Landlord was represented by Mark Ciobotaru and the Tenants were 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 an N8 notice of termination, alleging that the Tenant has been persistently late in paying the rent.
- b. The Tenant was in possession of the rental unit on the date the application was filed.
- c. The current lawful rent is \$1,265.85. The rent is due on the 1st day of each month.
- d. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

It is ordered on consent that:

1. The Tenant shall pay to the Landlord new rent on time and in full as it comes due and owing for the period of, and including February 1, 2026, to January 1, 2027.
2. If the Tenant fails to comply with the conditions set out in paragraph 1 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.
3. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
4. If the Tenant does not pay the Landlord the full amount owing on or before February 1, 2026, the Tenant will start to owe interest. This will be simple interest calculated from February 2, 2026, at 4.00% annually on the balance outstanding.

January 27, 2026
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.