



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

File Number: LTB-L-095557-25

In the matter of: 802, 340 COCHRANE RD
HAMILTON ON L8K6H7

Between: C. Valery Construction o/a Valery Properties Landlord

And

David Gary Tucker Tenant

C. Valery Construction o/a Valery Properties (the 'Landlord') applied for an order to terminate the tenancy and evict David Gary Tucker (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The application was scheduled to be heard by video conference on January 26, 2026. The Landlord's Agent, Tina Novak and the Tenant 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 with a Notice to End Tenancy Early for Non-payment of Rent (N4). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the notice or before the day the application was filed.
- b. As of the hearing date, the Tenant was still in possession of the rental unit.
- c. The lawful rent is \$1,300.00. The rent is due on the 1st day of each month.
- d. The rent arrears owing by the Tenant up to and including January 31, 2026, including the \$186.00 application filing fee are \$2,808.60.
- e. The Tenant expects to receive a payment of \$1,700.00, to be applied to the rent arrears from the Hamilton Housing Emergency Fund.

It is ordered on consent that:

1. The Tenant shall pay to the Landlord \$2,808.60 for arrears of rent up to January 31, 2026, including the application filing fee.
2. The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:

Date of Payment	Payment Amount
February 15, 2025	\$277.15
February 28, 2026	\$1,700.00
March 15, 2026	\$277.15
April 15, 2026	\$277.15
May 15, 2026	\$277.15

3. The Tenant shall also 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 May 1, 2026, or until the arrears are paid in full, whichever date is earliest.
4. If the Tenant fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after January 31, 2026.

January 29, 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.