



**Order under Section 78(11)
Residential Tenancies Act, 2006**

File Number: LTB-L-105294-25-SA

In the matter of: 306, 380 COCHRANE RD
HAMILTON ON L8K6H8

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

And

Rudolf Tancos Tenant

C. Valery Construction o/a Valery Properties (the 'Landlord') applied for an order to terminate the tenancy and evict Rudolf Tancos (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the order issued by the LTB on May 30, 2025, with respect to application LTB-L-037250-25.

The Landlord's application was resolved by order LTB-L-105294-25, issued on January 6, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-105294-25.

This motion was heard by videoconference on January 27, 2026.

The Landlord's agent Donatella Pepe, the Tenant, the Tenant's support person, Erska Lybesha, and the Tenant's translator, Natalie Trnkova, attended the hearing.

At the hearing, the parties requested the following order on consent. I am satisfied that the parties understood the consequences of their joint submissions.

On consent, it is ordered that:

1. The motion to set aside order LTB-L-105294-25, issued on January 6, 2026, is granted. The order cannot be enforced.
2. The previous order issued on May 30, 2025, with respect to application LTB-L-037250-25 is cancelled and replaced with this order.
3. The Tenant paid all the rent that was in arrears and all additional rent that would have been due under the tenancy agreement for the period ending January 31, 2026.

4. The Landlord's application for an order terminating the tenancy and evicting the Tenant based upon the arrears of rent is discontinued.

February 3, 2026
Date Issued

Melissa Anjema
Member, 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.