



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

File Number: LTB-L-102636-25-SA

In the matter of: 801, 123 CHARLTON AVE E
HAMILTON ON L8N3W3

Between: Drake Property Management Landlord

And

Mary Chouinard
Josep Chouinard Tenants

Drake Property Management (the 'Landlord') applied for an order to terminate the tenancy and evict Mary Chouinard and Josep Chouinard (the 'Tenants') and for an order to have the Tenants pay the rent they owe because the Tenants did not meet a condition specified in the order issued by the LTB on November 20, 2025, with respect to application LTB-L-071928-25.

The Landlord's application was resolved by order LTB-L-102636-25, issued on December 10, 2025. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-102636-25.

This motion was heard by videoconference on January 15, 2026, and concluded on February 13, 2026.

The Landlord's legal representative Mark Ciobotaru, the Tenant's legal representative Merima Menzildzic, and the Tenant Mary Chouinard attended the hearing.

The parties consented to the following order. I was satisfied that the parties understood the terms and consequences of their consent.

The Parties Agree:

1. The Landlord shall provide to the Tenants banking information that will enable the Tenants to pay their lawful rent by direct deposit, bill payment, or by adding the Landlord as a "Payee" to their bank account.

It is ordered on consent that:

1. The motion to set aside Order LTB-L-102636-25, issued on December 10, 2025, is granted.
2. Order LTB-L-102636-25, issued on December 10, 2025, is set aside and cannot be enforced.
3. The Landlord's L4 application is dismissed.
4. The original order in LTB-L-071928-25, is replaced with the following:
 - a. The Tenants owe arrears of rent in the amount of \$896.63 up to February 28, 2026.
 - b. The Tenants shall pay to the Landlord \$896.63 on or before March 31, 2026.
 - c. The Tenants shall pay the lawful rent due for March 2026 in the amount of \$968.35 on or before March 1, 2026.
 - d. If the Tenants fail 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 Tenants to the Landlord pursuant to paragraph 4 a. 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 Tenants' breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenants and requiring that the Tenants pay any new arrears, NSF fees, and related charges that became owing after February 28, 2026.

February 18, 2026

Date Issued

Kyle McGraw

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.