



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

File Number: LTB-L-094330-25-SA

In the matter of: 505, 1170 FENNELL AVE E
HAMILTON ON L8T1S7

Between: DRAKE PROPERTY MANAGEMENT Landlord

And

ALEXANDRA FOX Tenants
ROBERT HOBBS

DRAKE PROPERTY MANAGEMENT (the 'Landlord') applied for an order to terminate the tenancy and evict ALEXANDRA FOX and ROBERT HOBBS (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 September 19, 2025 with respect to application LTB-L-059699-25-SA.

The Landlord's application was resolved by order LTB-L-094330-25, issued on November 17, 2025. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-094330-25.

This motion was heard by videoconference on December 23, 2025. The Landlord's legal representative Eric Steiman and the Tenant, Alexandra Fox, who attended on behalf of both Tenants, attending the hearing.

It is agreed that:

The parties reached consent prior to the mediation to set aside order LTB-L-094330-25.

The motion to set aside Order LTB-L-094330-25, issued on November 17, 2025, is granted.

Order LTB-L-094330-25, issued on November 17, 2025, is cancelled and cannot be enforced. The previous order is replaced with the terms of this order.

The parties agreed the total rent arrears owing to December 31, 2025, are \$4,422.15.

The Tenants agreed to pay the total rent arrears on or before December 31, 2025, to void this order, otherwise the parties agreed the Tenancy would be terminated and the Tenants must move out on or before December 31, 2025.

The terms of this agreement were reviewed with the Tenants during mediation including the consequences of not being able to void this order on or before December 31, 2025.

As of the hearing date, the Tenants were still in possession of the rental unit.

The lawful rent is \$2,204.79. It is due on the 1st day of each month.

Based on the Monthly rent, the daily rent/compensation is \$72.49. This amount is calculated as follows: \$2,3204.79 x 12, divided by 365 days.

The Landlord collected a rent deposit of \$2,099.00 from the Tenants and this deposit is still being held by the Landlord. The rent deposit can only be applied to the last rental period of the tenancy if the tenancy is terminated.

Interest on the rent deposit, in the amount of \$156.42 is owing to the Tenants for the period from November 25, 2022, to the date of hearing.

It is ordered that:

1. The motion to set aside Order LTB-L-094330-25, issued on November 17, 2025, is granted.
2. Order LTB-L-094330-25, issued on November 17, 2025, is cancelled and cannot be enforced.
3. The previous order issued with respect to LTB-L-059699-25-SA issued on September 19, 2025, is replaced as follows:
4. The tenancy between the Landlord and the Tenants is terminated unless the Tenants void this order.
5. **The Tenants may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**
 - \$4,422.15 if the payment is made on or before December 31, 2025.
6. The Tenants may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenants have paid the full amount owing as ordered plus any additional rent that became due after December 31, 2025, but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenants may only make this motion once during the tenancy.

7. **If the Tenants do not pay the amount required to void this order the Tenants must move out of the rental unit on or before December 31, 2025.**
8. If the unit is not vacated on or before December 31, 2025, then starting January 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
9. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord on or after January 1, 2026.
10. The Tenants shall also pay the Landlord compensation of \$72.49 per day for the use of the unit starting January 1, 2026, until the date the Tenants move out of the unit.
11. If the Tenants do not void the order, the Tenants shall pay to the Landlord \$2,166.73. This amount includes rent arrears owing up to December 31, 2025, The Last month's rent deposit, and the interest \$156.42 the Landlord owes on the rent deposit are deducted from the amount owing by the Tenants.
12. If the Tenants do not pay the Landlord the full amount owing on or before December 31, 2026, the Tenants will start to owe interest. This will be simple interest calculated from January 1, 2026, at 4.00% annually on the balance outstanding.

March 13, 2026
Date Issued

Maryam Cooper
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on June 30, 2026, if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.

