



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

File Number: LTB-L-103534-25

In the matter of: 201, 5911 DORCHESTER RD
NIAGARA FALLS ON L2G7M7

Between: Hawksdale Investments Limited Landlord

And

Harry Durr Tenant

Hawksdale Investments Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Harry Durr (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant.
- the Tenant or another occupant of the rental unit has committed an illegal act or has carried out, or permitted someone to carry out an illegal trade, business or occupation in the rental unit or the residential complex.

The parties attended a hearing on March 18, 2026, by video conference, to which the parties elected to participate in Board facilitated mediation with the assistance of Dispute Resolution Officer (DRO) Roxanne Theriault.

The Landlord's Legal Representative, Martin Zarnett, the Landlord's Agent, Mike Linkuist, the Tenant was present and had spoke to Duty Counsel prior to mediation, and the Tenant's support person, Paul Tokar were present.

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 that:

1. The Tenant was in possession of the rental unit when the application was filed.
2. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
3. There is no last month's rent deposit.

It is ordered on consent that:

1. The tenancy between the Landlord and the Tenant continues if the Tenant meets the conditions set out below.
 - a. The Tenant shall allow entry into the rental unit upon being served a “notice to enter” pursuant to section 27 of the *Residential Tenancies Act, 2006*.
 - b. The Tenant shall not interfere with the Landlord’s lawful right, privilege or interest of the Landlord.
 - c. The Tenant shall pay to the Landlord \$1,017.00 for the costs related to substantial interference, on or before March 31, 2026.
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 giving notice to the Tenant.
3. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application on or before March 31, 2026.
4. If the Tenant does not pay the Landlord \$186.00 on or before May 3, 2026, the Tenant will start to owe interest. This will be simple interest calculated from May 4, 2026, at 4.00% annually on the outstanding balance.

April 22, 2026
Date Issued

Roxanne Theriault
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.