



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

File Number: LTB-L-016149-26

In the matter of: UPPER UNIT, 52 KENSINGTON AVENUE
HAMILTON ON L8L7M5

Between: ROBERT JOSEPH ROBSON Landlord

And

DAVE BOURKE Tenant

ROBERT JOSEPH ROBSON (the 'Landlord') applied for an order to terminate the tenancy and evict DAVE BOURKE (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was mediated by videoconference on May 13, 2026. The Landlord attended. The Tenant attended, after speaking with Duty Counsel. The parties reached a settlement and requested a consent order. I was satisfied the parties made informed decisions, understanding the terms and consequences.

General Information and agreed facts:

1. The Landlord served the Tenant with a Notice of Termination (Form N4) for non-payment of rent.
2. The current monthly rent is \$1,250.00. Per Diem: \$41.10
3. The parties agree to terminate the tenancy effective June 30, 2026 with enforcement provisions effective July 1, 2026.
4. The parties agree the Tenant owes the Landlord rent arrears of \$17,126.00 for the period ending May 31, 2026. The Landlord did not request the filing cost (\$186.00). There is no Last Month's Rent Deposit.
5. The June 2026 will be \$1,250.00.
6. Therefore, the Tenant owes the Landlord \$18,376.00 (\$17,126.00 + \$1,250.00).
7. The parties agree the Tenant will be ordered to pay the Landlord \$18,376.00 by June 30, 2026 with interest provisions commencing July 1, 2026.

8. The Tenant agrees on or before June 30, 2026, to: (1) voluntarily move out of the unit (2) leave the unit in a reasonable condition (3) remove all the personal belongings, including the garbage and (4) return the unit keys to the Landlord.
9. If the Tenant has not vacated the unit by June 30, 2026, the Tenant will be required to pay \$41.10 per diem commencing July 1, 2026.

On consent, it is ordered that:

1. The tenancy between the Landlord and the Tenant is terminated, effective June 30, 2026. The Tenant must move out of the rental unit on or before June 30, 2026.
2. If the unit is not vacated on or before June 30, 2026, then starting July 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
3. 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 July 1, 2026.
4. The Tenant shall pay the Landlord compensation of \$41.10 per day for the use of the unit starting July, 2026 to the date the Tenant moves out of the unit.
5. The Tenant shall pay the Landlord \$18,376.00 for arrears owing to June 30, 2026, on or before June 30, 2026.
6. If the Tenant does not pay the Landlord the full amount owing (\$18,376.00) on or before June 30, 2026, the Tenant will start to owe interest. This will be simple interest calculated from July 1, 2026 at 4.00% annually on the balance outstanding.

May 29, 2026
Date Issued

Shawn Hayman
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 November 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.