



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-013940-26

In the matter of: 1008, 500 MACNAB ST N
HAMILTON ON L8L 1L8

Between: Cityhousing Hamilton Corporation Landlord

and

Adela Berrios Tenant

Cityhousing Hamilton Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Adela Berrios (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 Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

The parties attended a hearing scheduled on June 3, 2026 by videoconference.

The Landlord's Agents Katherine Howlett and Cassandra Haye, the Tenant, and the Tenant's son Alexander Berrios engaged in private settlement discussions. The parties advised that they reached an agreement. At the meeting with Dispute Resolution Officer (DRO) Denise Hannivan, most of the parties then engaged in mediation.

The Tenant did not receive legal advice about this application.

As a result of the mediation, the parties requested an order on consent to resolve this application, and I am satisfied that the parties understand the consequences of their consent, including waiving their right to a hearing on this application.

Agreed Facts:

- 1) The Tenant will follow the Landlord's caregiver policy and submit any caregiver application for review by the Landlord.
- 2) The Tenant's visitors will not stay over night in the Tenant's rental unit.

On consent of the parties, it is ordered that:

1. The tenancy between the Landlord and the Tenant continues if the Tenant meets the conditions set out below.
2. For a period of sixteen (16) months, starting June 3, 2026 and ending November 2, 2027, the Tenant, another occupant of the rental unit, or the Tenant's guests shall not substantially interfere with the Landlord's or another tenant's lawful rights, privileges, and interests and/or reasonable enjoyment of the residential complex. More specifically, the Tenant or another occupant or guest of the Tenant's rental unit shall not engage in the behaviours described in the N5 Notice of Termination dated February 5, 2026 by:
 - a) All occupants of the Tenant's rental unit moving out on or before July 16, 2026;
 - b) Abiding by the lease agreement including the Visitor Policy, the Addition to Household Policy, and all other lease terms;
 - c) There being no occupants of this rental unit who do not meet the Landlord's age criteria of being 59.5 years of age or older;
 - d) The Tenant being responsible for any of the Tenant's guests at all times while at the residential complex including ensuring any guests do not engage in arguments or fights with others, and that guests disengage from any physical or verbal altercations whether the other person instigated it or not.
3. If the Tenant fails to comply with the conditions set out in paragraph 2 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 notice to the Tenant.
4. The Tenant shall pay to the Landlord \$186.00 for the cost of filing the application.
5. If the Tenant does not pay the Landlord the full amount owing on or before June 1, 2027, the Tenant will start to owe interest. This will be simple interest calculated from at 4.00% annually on the balance outstanding starting June 2, 2027.
6. This Order on Consent is in full and final settlement of this application.

June 5, 2026
Date Issued

Denise Hannivan
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.