



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

File Number: LTB-L-035202-26-SA

In the matter of: 113, 335 MELVIN AVE
HAMILTON ON L8H2K6

Between: Drake Property Management Landlord

And

Tim Marshall Tenant

Drake Property Management (the 'Landlord') applied for an order to terminate the tenancy and evict Tim Marshall (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on January 7, 2026 with respect to application LTB-L-085545-25.

The Landlord's application was resolved by order LTB-L-035202-26, issued on April 27, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-035202-26.

This motion was heard by videoconference on June 22, 2026.

The Landlord's Legal Representative, Sabrina Marchionne, the Tenant's support person, Ersal Lybesha, and the Tenant attended the hearing.

The parties before the LTB consented to the following order:

On consent it is ordered that:

1. The motion to set aside Order LTB-L-035202-26, issued on April 27, 2026, is granted.
2. Order LTB-L-035202-26, issued on April 27, 2026, is set aside and cannot be enforced.
3. The previous order issued on January 7, 2026 with respect to LTB-L-085545-25 remains in full force and effect.

June 29, 2026
Date Issued

Vicky Liu
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.