



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

File Number: LTB-L-095526-25-SA

In the matter of: 231, 49 OAKVILLE AVE
LONDON ON N5V2R9

Between: Fixtia Holdings Inc. Landlord

And

Nichelle Samuel Tenants
Patrick Palmer

Fixtia Holdings Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Nichelle Samuel and Patrick Palmer (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 mediated settlement signed by the parties on September 16, 2025 with respect to application LTB-L-057669-25.

The Landlord's application was resolved by order LTB-L-095526-25, issued on November 18, 2025. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-095526-25.

This motion was heard by videoconference on December 18, 2025. The Landlord represented by Kundai Govereh, and the Tenants, attended the hearing.

Determinations:

1. The Tenants owed the Landlord \$2,938.71 in arrears and costs to the end of September 2025. The parties entered into an agreement under section 206 of the Residential Tenancies Act. On September 16, 2025, the Board issued the order requiring the Tenant to pay \$350.00 every two weeks with a final payment of \$138.71 on or before December 26, 2025. The Tenants were also required to pay rent on time.
2. The Tenants did not make all the payments on time but as of the date of this hearing the Tenant have paid the full amount they are required to pay and are in a credit position of \$186.17.
3. Considering the fact that the Tenants have lived in the rental unit for six years and paid the full amount owing earlier than the order required, I find that it would not be unfair to set aside order LTB-L-095526-25.

It is ordered that:

1. The motion to set aside Order LTB-L-095526-25, issued on November 18, 2025, is granted.
2. Order LTB-L-095526-25, issued on November 18, 2025, is set aside and cannot be enforced.

January 7, 2026

Date Issued

Greg Joy

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.