



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

File Number: LTB-L-098050-25-SA

In the matter of: 4, 200 HUGHSON ST N
HAMILTON ON L8L 4M3

Between: Huu Luong Landlord

and

Trevor Archdekin Tenant

Huu Luong (the 'Landlord') applied for an order to terminate the tenancy and evict Trevor Archdekin (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the consent order issued by the LTB on May 6, 2025 with respect to application LTB-L-009263-25.

The Landlord's application was resolved by order LTB-L-098050-25, issued on November 26, 2025. This order was issued without a hearing being held.

The Tenant made a motion to set aside order LTB-L-098050-25.

The motion was heard by videoconference on December 22, 2025.

The Landlord and the Tenant attended the hearing.

Determinations:

1. The Tenant concedes he has breached the terms of the payment plan agreed to during mediation as reflected in the order issued by the LTB on May 6, 2025 with respect to application LTB-L-009263-25 by failing to pay the rent for the period October 1, 2025 to October 31, 2025 on October 31, 2025 as agreed.
2. The Tenant sought relief from eviction based on his circumstances which have changed since he committed to the repayment plan on May 1, 2025. He experienced a loss of income while he was studying but has a job lined up to begin the first week of January 2026. At the same time, he took a more direct parenting role which has also strained his finances. The Tenant was prepared to commit to increasing his monthly contributions when his new job begins.
3. The Tenant agrees that the rent and arrears installments for October and November remain unpaid. He testified that he lost his job in November and added that he was

prepared to pay that debt only that the Landlord refused to come and collect it. The Tenant proposes to pay it as soon as he begins earning an income again. He is prepared to take a loan from family if necessary. He did not explain why he has not enlisted those resources already.

4. The Landlord testified to personal and financial hardship caused by the Tenant's failure to meet his obligations as agreed.
5. On considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-098050-25. I found the Tenant's disparate explanations for his delinquency to lack credibility because they were inconsistent and uncorroborated. I can have no assurance that he will earn an income as he says because details of his new job were not provided and no corroboration filed. The Tenant requested a delay until January 31, 2026 so he might save his money for first and last on another tenancy. This proposal suggests to me that he has no intention of fulfilling his obligations to the Landlord during the delay.
6. The stay of order LTB-L-098050-25 will be lifted on January 20, 2026.

It is ordered that:

1. The motion to set aside order LTB-L-098050-25 issued on November 26, 2025 is denied.
2. The stay of order LTB-L-098050-25 is lifted on January 20, 2026.
3. Order LTB-L-098050-25 is unchanged.

January 9, 2026
Date Issued

Nersi Makki
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.