



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

File Number: LTB-L-093023-25-SA

In the matter of: 102, 6950 KALAR RD
NIAGARA FALLS ON L2H2T6

Between: Kai Man Lee Landlord

And

Yettters Barrios Landeau Tenant

Kai Man Lee (the 'Landlord') applied for an order to terminate the tenancy and evict Yettters Larrios Landreau (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 order issued by the LTB on February 26, 2025, with respect to application LTB-L-080836-24.

The Landlord's application was resolved by order LTB-L-093023-25, issued on November 12, 2025. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-093023-25.

This motion was heard by videoconference on December 23, 2025. The Landlord, the Landlord's spouse, Y. Xu, and the Tenant attended the hearing. The Tenant's partner/witness, J. Chawla (JC), also attended the hearing.

The application is amended to reflect the accurate spelling of the Tenant's name.

Determinations:

1. The Tenant failed to meet a condition specified in the order issued by the LTB on February 26, 2025, with respect to application LTB-L-080836-24. The Tenant failed to pay rent of \$1,307.78 on November 1, 2025.
2. The Tenant, who also failed to pay the rent on December 1, 2025, testified that she has been away from the country and has no intention of returning to the rental unit. The Tenant hoped that her partner, JC, could continue to reside in the unit.
3. JC testified that the rent was not paid because of an issue with his work permit which he has since remedied and is currently in search of employment. JC offered to pay \$600.00 towards the outstanding arrears and sought to continue the tenancy.

4. The Landlord opposed the motion because the Tenant's non-payment of rent has placed them in financial difficulty.
5. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-093023-25. The Tenant breached order LTB-L-080836-24 by failing to pay the rent in November 2025; continued in breach by not paying for December 2025; and has without authorization, transferred the occupancy of the rental unit to her partner who does not have a tenancy agreement with the Landlord.

It is ordered that:

1. The motion to set aside Order LTB-L-093023-25, issued on November 12, 2025, is denied. The order is confirmed and remains unchanged.
2. The stay of order LTB-L-093023-25 is lifted immediately.

January 6, 2026
Date Issued

Jitewa Edu
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.