



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

File Number: LTB-L-094054-25-SA

In the matter of: 2714 ASKIN AVE
WINDSOR ON N9E3H7

Between: Mary Montsch Landlord

And

Stephanie MacDonald Tenant

Mary Montsch (the 'Landlord') applied for an order to terminate the tenancy and evict Stephanie MacDonald (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 October 17, 2025 with respect to application LTB-L-051690-25.

The Landlord's application was resolved by order LTB-L-094054-25, 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-094054-25.

This motion was heard by videoconference on December 16, 2025. The Landlord's representative John Kulikowski, and the Tenant, attended the hearing.

Determinations:

1. The Tenant was ordered to pay rent in full and on time from November 2025 to October 2026, inclusive.
2. The Tenants husband had a heart attack which resulted in an inability to pay on time. The Tenant contacted the Landlord's grandson to explain the situation. The Tenant was informed that the Landlord wanted to end the tenancy but would give the Tenant additional time to leave.
3. At the time of the hearing the Tenant owed the Landlord \$430.00 of the rent and could not transfer the balance until the following day due to the transfer limit.
4. The Tenant has lived in the unit for eight years and wants to pay on time and remain in the unit.

5. After considering all of the circumstances, including the Tenant's testimony that the balance would be paid the day following the hearing, I find that it would not be unfair to set aside order LTB-L-094054-25.
6. The Landlord was directed to inform me if the payment was made in full and on time. The Landlord's representative confirmed that the payment was made.

It is ordered that:

1. The motion to set aside Order LTB-L-094054-25, issued on November 12, 2025, is granted.
2. Order LTB-L-094054-25, issued on November 12, 2025, is set aside and cannot be enforced.

January 6, 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.

