



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

File Number: LTB-L-093457-25-SA

In the matter of: 112, 399 SIDNEY ST
TRENTON ON K8V6N6

Between: Stan Klemencic Builder Limited Landlord

And

Wayne McAllister Tenant

Stan Klemencic Builder Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Wayne McAllister (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 March 25, 2025 with respect to application LTB-L-010084-25.

The Landlord's application was resolved by order LTB-L-093457-25, 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-093457-25.

This motion was to be heard by videoconference on January 8, 2026.

Prior to the hearing the Landlord submitted terms of an agreement. This order reflects the submissions provided by the Landlord granting relief from eviction.

The Landlord consents to the Tenant's motion to set aside.

Determinations:

1. The Tenant owes the Landlord \$4,261.32 in arrears and costs to the end of January 2026.

It is ordered that:

1. The motion to set aside Order LTB-L-093457-25, issued on November 12, 2025, is granted.
2. Order LTB-L-093457-25, issued on November 12, 2025, is set aside and cannot be enforced.
3. Order LTB-L-010084-25 is cancelled and replaced with the following:

4. The Tenant shall pay to the Landlord \$4,261.32 as follows:
 - The Tenant shall pay to the Landlord \$532.67 on or before the 10th day of each consecutive month commencing January 2026 and continuing through July 2026.
 - The Tenant shall pay to the Landlord \$532.63 on or before August 10, 2026.
5. The Tenant shall also pay to the Landlord the lawful rent in full and on time for each consecutive month commencing February 2026 and continuing through August 2026, or until the arrears and costs are paid in full.
6. In the event the Tenant fails to make the above said payments in full and on time, the entire balance of the amount set out in this Order will become due and payable forthwith under this Order. The Landlord shall be entitled to apply to the Board, no later than 30 days after a breach of this Order, without notice to the Tenant, for an Order terminating the tenancy and evicting the Tenant and for any arrears that become due after the date of this order, pursuant to Section 78 of the Residential Tenancies Act, 2006.

January 8, 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.

