



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

Citation: Homestead Land Holdings Limited v Al-Kisadi, 2026 ONLTB 4582

Date: 2026-01-14

File Number: LTB-L-094106-25-SA

In the matter of: 411, 263 PHARMACY AVE
SCARBOROUGH ON M1L3E8

Between: Homestead Land Holdings Limited Landlord

And

Haroon Al-Kisadi Tenant

Homestead Land Holdings Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Haroon Al-Kisadi (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 August 5, 2025 with respect to application LTB-L-037061-25.

The Landlord's application was resolved by order LTB-L-094106-25, 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-094106-25.

This motion was heard by videoconference on December 17, 2025.

The Landlord's legal representative, Ashleigh Searles, and the Tenant attended the hearing.

Determinations:

There was a breach of the previous mediated settlement

1. The Tenant failed to meet a condition specified in the order issued by the LTB on August 5, 2025 with respect to application LTB-L-037061-25. They did not pay the rent in full on November 1, 2025 or December 1, 2025 and did not make the required arrears payments on November 15 or December 15, 2025.

The surrounding circumstances

2. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-094106-25. The Tenant is a single parent who receives social assistance and is

sometimes unable to work. A summary budget analysis conducted in the hearing shows that the payment plan is not viable.

The stay is lifted immediately

3. The stay of order LTB-L-094106-25 is lifted immediately. The Tenant requests an extension to relocate their family but acknowledges that they would put their available financial resources towards first and last at a new rental unit rather than ongoing rent in the current unit. Additionally, the Tenant has prioritized paying other loans instead of the arrears. It would be unfair to the Landlord to extend a tenancy for a Tenant who will continue to choose not to pay rent.

It is ordered that:

1. The motion to set aside Order LTB-L-094106-25, issued on November 12, 2025, is denied.
2. The stay of order LTB-L-094106-25 is lifted immediately.
3. Order LTB-L-094106-25 is unchanged.

January 14, 2026
Date Issued

Dawn Carr
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.