



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

File Number: LTB-L-095471-25-SA

In the matter of: 4020 WALTER BRADLEY RD
PAKENHAM ON K0A2X0

Between: Patrick Smith Landlord

And

Kelly O'Neil Tenants
Harold Burgess

Patrick Smith (the 'Landlord') applied for an order to terminate the tenancy and evict Kelly O'Neil and Harold Burgess (the 'Tenants') and for an order to have the Tenants pay the rent they owe because the Tenants did not meet a condition specified in the mediated settlement signed by the parties on August 26, 2025 with respect to application LTB-L-024973-25.

The Landlord's application was resolved by order LTB-L-095471-25, issued on November 19, 2025. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-095471-25.

This motion was heard by videoconference on January 13, 2026. The Landlord and the Tenants represented by Christelle Azzi, attended the hearing.

Determinations:

1. With the assistance of a Board Dispute Resolution Officer, the parties agreed the Tenants owed the Landlord \$131.16 for the balance of the costs to the end of August 2025.
2. The Tenants were ordered to pay the Landlord rent plus \$20.00 from September the costs were paid in full. The full amount was to be paid by March 2026.
3. The parties agree that the full amount of the balance of the costs have been paid.
4. The Landlord claims the November payment was not made until November 3, 2025.
5. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-095471-25.

It is ordered that:

1. The motion to set aside Order LTB-L-095471-25, issued on November 19, 2025, is granted.
2. Order LTB-L-095471-25, issued on November 19, 2025, is set aside and cannot be enforced.

January 19, 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.