



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

File Number: LTB-L-106868-25-SA

In the matter of: 273 Nelson Street
Kincardine ON N2Z1E7

Between: Carolyn Lawrie Landlord

And

Mark Legge Tenant

Carolyn Lawrie (the 'Landlord') applied for an order to terminate the tenancy and evict Mark Legge (the 'Tenant') and for an order to have the Tenant pay compensation for damage they owe because the Tenant did not meet a condition specified in the order issued by the LTB on September 2, 2025 with respect to application LTB-L-050091-25.

The Landlord's application was resolved by order LTB-L-106868-25, issued on January 7, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-106868-25.

This motion was heard by videoconference on February 3, 2026. The Landlord's representative Jacqueline Armstrong, and the Tenant, attended the hearing,

Determinations:

1. On August 26, 2025, the parties consented to an order that terminated the tenancy on March 31, 2026. As a condition for delaying the termination of the tenancy, the Tenant agreed to pay rent in full and on time for the balance of the tenancy.
2. The Tenant has not paid rent for December, January or February. It is the Tenant's position that the Landlord has failed to meet the Landlord's maintenance obligations and therefore the Tenant was not required to pay rent.
3. The Tenant did not disclose any evidence for consideration at this hearing.
4. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-106868-25.

It is ordered that:

1. The motion to set aside Order LTB-L-106868-25, issued on January 7, 2026, is denied.
2. The stay of order LTB-L-106868-25 is lifted immediately.
3. Order LTB-L-106868-25 is unchanged.

February 5, 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.