



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

File Number: LTB-L-001102-26-SA

In the matter of: Upper Unit 2, 30 NIAGARA ST
HAMILTON ON L8L6A2

Between: David Belsito Landlord

And

Jessica Kowalski Tenant

David Belsito (the 'Landlord') applied for an order to terminate the tenancy and evict Jessica Kowalski (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 June 6, 2025, with respect to application LTB-L-088459-24.

The Landlord's application was resolved by order LTB-L-001102-26, issued on January 13, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-001102-26.

This motion was heard by videoconference on February 10, 2026. The Landlord's legal representative, Sara Murtadha, and the Tenant, and the Tenant's legal representative, Brittney Forsyth, attended the hearing.

At the hearing, the parties requested the following order on consent. I am satisfied that the parties understood the consequences of their joint submissions.

On consent, it is ordered that:

1. The Landlord consents to the Tenant's motion to set aside order LTB-L-001102-26, issued on January 13, 2026.
2. The motion to set aside order LTB-L-001102-26, issued on January 13, 2026, is granted. The order cannot be enforced.
3. Order LTB-L-088459-24 issued on June 6, 2025, remains in full force and effect.

February 18, 2026
Date Issued

Melissa Anjema
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.