



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

Citation: Ramsay v Richards, 2026 ONLTB 15880

Date: 2026-02-20

File Number: LTB-L-104500-25-SA

In the matter of: LOWER LEVEL, 351 VANILLA TRAIL
THOROLD ON L2V0K8

Between: Malik Ramsay Landlord

And

Ryan aka Rian Richards Tenant

Malik Ramsay (the 'Landlord') applied for an order to terminate the tenancy and evict Ryan aka Rian Richards (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 December 10, 2025 with respect to application LTB-L-082605-25.

The Landlord's application was resolved by order LTB-L-104500-25, issued on January 5, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-104500-25. This motion was heard by videoconference on January 26, 2026.

The Landlord, the Landlord's Agent, Abiola Andre, the Landlord's Legal Representative, Taff Butters, and the Tenant attended the hearing.

Determinations:

The Breach

1. There is no dispute that the Tenant breached the order LTB-L-082605-25 because he failed to pay the monthly rent for December 2025 in full on or before December 1, 2025.

Set Aside

2. As I am satisfied that the Tenant breached the previous order, the next issue before the Board is whether it would be unfair in all the circumstances to grant the Tenant's motion to set aside the eviction order. The Tenant did not seek to preserve the tenancy but rather requested the Board delay eviction until March 31, 2026, the date the parties originally agreed the tenancy would terminate in order LTB-L-082605-25.

3. As such, I find it appropriate to deny the motion to set aside and consider the parties' submissions on when the stay of the order LTB-L-104500-25, issued on January 5, 2026, should be lifted.
4. The Tenant submitted that he lost a client due to the Landlord's negative post about him on a Facebook group on or about November 18, 2025. The Tenant testified that he is a contractor and that due to the loss of the client, he did not have income to pay the Landlord for December or January's rent. The Tenant testified that the post was removed afterwards but cannot recall when exactly.
5. The Landlord's Agent testified that the post was posted on December 18, 2025 after the Tenant breached the previous order and that she has blocked the Tenant's number since September 4, 2025 after an altercation in August 2025 where the police were involved.
6. The Landlord opposed the Tenant's motion and requested that the stay be lifted immediately as the consent order was agreed upon based on the understanding that the Tenant would pay the rent on time from December 2025 to February 2026 and that the non-payment of December and January's rent has resulted in the Landlord having to cut back on expenses.
7. The Tenant provided no documentary evidence to support his assertions that he lost income due to the Landlord's social media post. Even if I accept the Tenant's evidence as true, the Tenant did not submit any evidence to suggest that he can pay the Landlord the rent for February 2026. The Tenant's own evidence was that his work was slow from before the holidays to the middle of February.
8. The Landlord did not provide any compelling evidence that a delay will unduly prejudice him but given the likelihood that arrears will increase each day the Tenant remains in the rental unit, I find it fair to lift the stay on March 6, 2026. The Landlord can proceed with filing the eviction order with the Sheriff as early as March 7, 2026 and the Tenant is given a short extension to secure alternative housing.

It is ordered that:

1. The motion to set aside Order LTB-L-104500-25, issued on January 5, 2026, is denied.
2. The stay of order LTB-L-104500-25 is lifted on March 6, 2026.
3. Order LTB-L-104500-25 is unchanged.

February 20, 2026

Date Issued

Vicky Liu

Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.