



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

Citation: Jon Kaufman v Vail, 2026 ONLTB 16644

Date: 2026-02-24

File Number: LTB-L-002093-26-SA

In the matter of: 137 BRECKENRIDGE DR
KITCHENER ON N2B3R8

Between: Jon Kaufman Landlord
Dubrick Property Management LTD.

And

Paul Vail Tenant

Jon Kaufman and Dubrick Property Management LTD. (the 'Landlord') applied for an order to terminate the tenancy and evict Paul Vail (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on July 15, 2025 with respect to application LTB-L-038063-25-SA.

The Landlord's application was resolved by order LTB-L-002093-26, issued on January 14, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-002093-26.

This motion was heard by videoconference on February 11, 2026.

The Landlord's legal representative, P. Schroeder, and the Tenant attended the hearing.

Agreed Facts:

1. On or before February 16, 2026, the Tenant will provide a void cheque or PAP form to the Landlord, in order to facilitate direct withdrawal of the monthly rent.
2. The arrears and costs owed by the Tenant to the Landlord to February 28, 2026, are \$2,566.83.

At the hearing, the parties consented to the following order. I was satisfied that the parties understood the consequences of their consent.

On consent, it is ordered that:

1. The motion to set aside Order LTB-L-002093-26 issued on January 14, 2026, is granted.
2. Order LTB-L-002093-26, issued on January 14, 2026, is set aside and cannot be enforced.
3. The previous order LTB-L-038063-25-SA issued on July 15, 2025, is cancelled.
4. Both orders mentioned above in paragraphs #2 and #3, are replaced by the following order.
5. The Tenant shall pay \$2,566.83 arrears and costs owed to the Landlord on or before February 28, 2026.
6. Commencing March 2026 and continuing each month for a period of 12 months, up to and including February 2027, the Tenant shall pay the monthly rent, in full, no later than the first day of each of those months, respectively.
7. If the Tenant fails to make any one of the payments in accordance with paragraphs #5 and #6 of this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord shall become immediately due and owing and the Landlord may, without notice to the Tenant, apply to the Board pursuant to section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pays any new arrears, NSF fees and related charges that became owing after February 28, 2026.

February 24, 2026
Date Issued

Nancy Morris
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.