



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

File Number: LTB-L-002966-26-SA

In the matter of: 707, 2935 RICHMOND RD
OTTAWA ON K2B8C9

Between: 2935 Richmond Road Ltd. Landlord

And

CHRISTOPER MCCALLUM Tenant

2935 Richmond Road Ltd. (the 'Landlord') applied for an order to terminate the tenancy and evict CHRISTOPER MCCALLUM (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 September 10, 2025 with respect to application LTB-L-037956-25.

The Landlord's application was resolved by order LTB-L-002966-26, issued on January 19, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-002966-26.

This motion was heard by videoconference on February 24, 2026. The Landlord's representative Sharon Harris, and the Tenant, attended the hearing,

Determinations:

1. The Tenant moved into the rental unit in February 2025. The Tenant fell into arrears of rent and the Landlord filed an application which was to be heard on August 7, 2025. Due to a scheduling overflow the matter was adjourned.
2. The application was heard on September 5, 2025, and the Landlord granted relief from eviction by the Board. The Tenant owed the Landlord \$7,611.00. The lawful monthly rent is \$1,545.00. The Tenant had not paid five of the seven months rent that had become due. Based on the Tenant's proposal, the Tenant was ordered to pay the Landlord \$500.00 on or before the 20th of October and November and then \$1,000.00 on or before the 20th day of the following months until the balance was paid in full.
3. The Tenant breached the conditions of the order, the Landlord filed and L4 application, and the Board issued order LTB-L-037956-25 evicting the Tenant. The Tenant filed a set aside motion and the motion was heard on November 26, 2025. The Board again granted relief from eviction.

4. The Tenant breached the condition of order LTB-L-037956-25 and the Landlord issued order LTB-L-002966-26 evicting the Tenant. The Tenant filed a second set aside motion.
5. The amount the Tenant owes the Landlord to the end of February is \$7,452.13. The amount the Tenant owes the Landlord has been reduced by \$158.87 since September.
6. The Tenant testified that he has lost jobs which has led to the arrears of rent. The Tenant also testified that he started a new job as a cook he started one week ago making \$19.00 an hour.
7. After considering all of the circumstances, including the fact that the Tenant was five months in arrears by September after moving into the rental unit in February, that the Tenant has paid little toward the arrears since relief from eviction was granted in September, and that this is the second set aside motion in three months, I find that it would be unfair to set aside order LTB-L-002966-26.

It is ordered that:

1. The motion to set aside Order LTB-L-002966-26, issued on January 19, 2026, is denied.
2. The stay of order LTB-L-002966-26 is lifted immediately.
3. Order LTB-L-002966-26 is unchanged.

March 4, 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.

