



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

File Number: LTB-L-004200-26-SA

In the matter of: 2, 4506 MORRISON ST
NIAGARA FALLS ON L2E2B5

Between: Manlio Formisano Landlords
Fabio Formisano

And

Tara Pearson Tenant

Manlio Formisano and Fabio Formisano (the 'Landlords') applied for an order to terminate the tenancy and evict Tara Pearson (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 November 24, 2025 with respect to application LTB-L-079061-25.

The Landlords' application was resolved by order LTB-L-004200-26, issued on January 21, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-004200-26.

This motion was heard by videoconference on February 24, 2026. The Landlord Manilo Formisano, and the Tenant, attended the hearing.

Determinations:

1. The Tenant owed the Landlord \$ in arrears and costs to the end of November 2025. The amount the Tenant now owes the Landlord has increased to \$9,204.24.
2. The Tenant testified that she made a rent payment for January in cash. The Landlord denies that the Tenant made a payment, and the Tenant had no evidence to support the submission.
3. The last payment the Tenant made to the Landlord was \$200 from the Tenant and \$900.00 from Ontario Works.
4. The Tenant currently has \$850.00 and has no income. The Tenant requested a delay in lifting the stay for one month. The Landlord objected to the request testifying that they have tried to work with the Tenant but the arrears have significantly increased.

5. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-004200-26.

It is ordered that:

1. The motion to set aside Order LTB-L-004200-26, issued on January 21, 2026, is denied.
2. The stay of order LTB-L-004200-26 is lifted immediately.
3. Order LTB-L-004200-26 is unchanged.

March 6, 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.