



Order under Section 21.2 of the Statutory Powers Procedure Act and the Residential Tenancies Act, 2006

Citation: Homestead Land Holdings Limited v Burton, 2026 ONLTB 836

Date: 2026-03-02

File Number: LTB-L-081356-25-RV

In the matter of: 0007, 85 FOREST MANOR RD
NORTH YORK ON M2J0B9

Between: Homestead Land Holdings Limited Landlord

And

Christine Burton Tenant

Review Order

Homestead Land Holdings Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Christine Burton (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-081356-25 issued on January 7, 2026.

On January 15, 2026, the Tenant requested a review of the order.

This application was heard by videoconference on February 19, 2026.

The Landlord's representative, Ashleigh Searles, and the Tenant's representative, Juan Carlos Fuentes, attended the hearing.

Determinations:

1. The Tenant representative, who also resides in the rental unit, testified the Tenant did not receive the notice of hearing until after the hearing date. He testified that the Tenant received the L1/L9 update sheet from the Landlord and tried to contact the Board and the Landlord to obtain details with respect to the hearing date without success. He entered into evidence email correspondence to support the allegation that the Tenant attempted to contact the Board and the Landlord.

2. Although the Landlord denied receiving correspondence from the Tenant regarding the hearing date, I am persuaded by the testimony and supporting documentation that the Tenant was not reasonably able to participate in the proceeding because they did not have the notice of hearing.
3. As a result, I cancelled the order and proceeded to hear the Landlord's application.
4. It was uncontested that the arrears and costs owing up to February 28, 2026 are \$5,497.69.
5. The Tenant representative proposed a payment plan amounting to \$1,000.00 per month.
6. The Landlord's representative was opposed to the payment plan.
7. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would not be unfair to grant relief from eviction subject to the conditions set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act. While I acknowledge the difficulties with this tenancy noted by the Landlord in their submissions regarding repeated applications to the Board and difficulties receiving the rent on time, I am persuaded by the Tenant representative's submissions that there is sufficient income in the household to pay the rent and, given the length of the tenancy, the number of people living in the rental unit, the length of the tenancy, the duration of the payment plan, and the Tenant's ill health, that relief from eviction is appropriate.

It is ordered that:

1. The request to review order LTB-L-081356-25 issued on January 7, 2026 is granted. The order is cancelled and replaced with this order.
2. The Tenant shall pay to the Landlord \$5,497.69 for arrears of rent up to February 28, 2026 and costs.
3. The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:
 1. \$500.00 on or before the 1st of each month starting March 1, 2026 up to and including July 1, 2026.
 2. \$500.00 on or before the 15th of each month starting March 15, 2026 up to and including July 15, 2026.
 3. \$497.69 on or before August 1, 2026.
4. The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period March 1, 2026 to August 1, 2026, or until the arrears are paid in full, whichever date is earliest.
5. If the Tenant fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing

and the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after February 28, 2026.

March 2, 2026
Date Issued

Richard Ferriss
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.