



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

File Number: LTB-L-003411-26-SA

In the matter of: 50, 1049 RYMAL RD E
HAMILTON ON L8W3M3

Between: Victoria Park Community Homes Landlord

And

Nicole Aquiar Tenant

Victoria Park Community Homes (the 'Landlord') applied for an order to terminate the tenancy and evict Nicole Aquiar (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 mediated settlement signed by the parties on December 3, 2025 with respect to application LTB-L-076705-25.

The Landlord's application was resolved by order LTB-L-003411-26, issued on January 20, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-003411-26.

This motion was heard by videoconference on March 3, 2026. The Landlord's representative Patrick Langille attended the hearing.

As of 1:30pm, the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. Prior to the hearing the Tenant requested to withdraw the motion to set aside.

Determinations:

1. The Tenant has vacated the rental unit. Since the Tenant did not appear at the hearing to support their motion, I find that this motion has been abandoned.

It is ordered that:

1. The motion to set aside Order LTB-L-003411-26, issued on January 20, 2026, is denied.
2. The stay of order LTB-L-003411-26 is lifted immediately.
3. Order LTB-L-003411-26 is unchanged.

March 9, 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.