



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

File Number: LTB-L-105580-25-SA

In the matter of: 14, 3230 UPLANDS DR
OTTAWA ON K1V0C6

Between: Douglas M Roberts Landlords
Harold R McGrogan
Estate Trustees for the Estate of John
Prokaska Condo Life Trust

And

Jim Fraser Tenant

Douglas M Roberts, Harold R McGrogan and Estate Trustees for the Estate of John Prokaska Condo Life Trust (the 'Landlords') applied for an order to terminate the tenancy and evict Jim Fraser (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 26, 2025 with respect to application LTB-L-075165-25.

The Landlord's application was resolved by order LTB-L-105580-25, issued on January 5, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-105580-25.

This motion was heard by videoconference on March 3, 2026. The Landlord's representative Ahmad Alzameli, and the Tenant, attended the hearing.

Determinations:

1. The Tenant owed the Landlord \$11,386.00 in arrears and costs to the end of November 2025. The Tenant agreed to pay the Landlord rent plus \$1,600.00 on or before the 1st day of each month from December until the balance was paid in full.
2. The Tenant has made no payments since the agreement. The last payment the Tenant made to the Landlord was in April 2025, one year ago.
3. The Tenant testified he has no employment and no income. The Tenant also testified that he offered to pay the Landlord rent but that the Landlord would not accept. The lawful monthly rent is \$1,400.00 and The Tenant testified that he currently has \$1,000.00.

Considering the Tenant does not have funds for one month rent and has no source of income, I find it challenging to accept that the Landlord refused to accept payments.

4. The amount the Tenant owes the Landlord has increased to \$16,986.00.
5. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-105580-25.

It is ordered that:

1. The motion to set aside Order LTB-L-105580-25, issued on January 5, 2026, is denied.
2. The stay of order LTB-L-105580-25 is lifted immediately.
3. Order LTB-L-105580-25 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.

