



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

Citation: Neate v Chenier, 2026 ONLTB 20860

Date: 2026-03-16

File Number: LTB-L-083282-24-VO-SA-RV

In the matter of: 189 WAGON DR
DUNROBIN ON K0A1T0

Between: Terri Neate Landlords
Robert Leclerc

And

Cody Chenier Tenants
Marissa Leblanc

Review Order

Terri Neate and Robert Leclerc (the 'Landlords') applied for an order to terminate the tenancy and evict Cody Chenier and Marissa Leblanc (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

The Landlords' application was resolved by order LTB-L-083282-24 issued on August 11, 2025.

On October 8, 2025, the Tenants filed a motion to void order LTB-L-083282-24 because before the eviction order became enforceable, the Tenants paid to the Landlords the amount required to void the order under subsection 74(4) of the *Residential Tenancies Act, 2006* (the 'Act').

The Tenants' motion to void was granted in order LTB-L-083282-24-VO issued on October 9, 2025.

On October 10, 2025, the Landlords filed a motion to set aside order LTB-L-083282-24-VO.

The Landlords' motion was resolved by order LTB-L-083282-24-SA issued on November 28, 2025.

On January 6, 2026, the Landlords requested a review of order LTB-L-083282-24-SA.

On January 29, 2026, interim order LTB-L-083282-24-SA-RV-IN was issued directing the matter to a review hearing.

The review request was heard by videoconference on March 5, 2026. The Landlord Terri Neate and the Tenants attended the hearing.

Determinations:

1. As explained below, I am satisfied that a serious error occurred in the proceedings.
2. The order issued on November 28, 2025, denies the Landlord's motion as the Board was satisfied that the Tenants paid to the Landlords the amount required to void order LTB-L-083282-24 issued on August 11, 2025 by the termination date set out in the notice (August 22, 2025).
3. At the motion hearing, the Landlords confirmed that they had received the payment by way of personal cheque, but that the cheque had not yet been deposited.
4. After the issuance of the November 28, 2025 order, the Landlords deposited the payment received by the Tenants as directed by the Board. The cheque was deposited on January 5, 2026 and was returned by the Bank on January 9, 2026 because the Tenants had cancelled the cheque (stopped-payment).
5. The Landlords submitted into evidence a copy of the "returned item notice" issued by their Bank (LL exhibit #1). The Tenants did not dispute that they put a stopped-payment on the cheque and that no further cheques or payments were delivered to the Landlords.
6. Based on the evidence before the Board, the Landlord's review must be granted as the Tenants did not in fact void order LTB-L-083282-24 issued on August 11, 2025 as the funds were never received by or actually paid to the Landlords.
7. As such, the Landlord's request for review and motion to set aside are both granted. Order LTB-L-083282-24-VO issued on October 9, 2025 is therefore set aside and the August 11, 2025 order remains in full force and effect.

It is ordered that:

1. The request to review order LTB-L-083282-24-SA issued on November 28, 2025 is granted. The order is cancelled and replaced with the following.
2. The Landlords' motion to set aside Order LTB-L-083282-24-VO, issued on October 9, 2025, is granted. The order is set aside and of no force or effect.
3. Order LTB-L-083282-24 issued on August 11, 2025 remains in full force and effect.

March 16, 2026

Date Issued

Fabio Quattrociocchi

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.