



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

File Number: LTB-L-011172-26-SA

In the matter of: 1, 3470 HIGHWAY 35
LINDSAY ON K9V4R1

Between: Kevin Barker Auctions Landlord

And

Coady Melvin Tenants
Sienna Frost

Kevin Barker Auctions (the 'Landlord') applied for an order to terminate the tenancy and evict Coady Melvin and Sienna Frost (the 'Tenants') s because the Tenants did not meet a condition specified in the order issued by the LTB on January 20, 2026 with respect to application LTB-L-077993-25.

The Landlord's application was resolved by order LTB-L-011172-26, issued on February 10, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-011172-26.

This motion was heard by videoconference on March 12, 2026. The Landlord and the Tenant Sienna Frost, attended the hearing.

Determinations:

1. Amended order LTB-L-077993-25 issued on January 20, 2026, ordered the Tenants not to store dead carcasses of any kind in open or closed bins, or C-cans, freezers of any type of container which could be used to store dead carcasses on the residential property. The currently bins or bis or other containers listed above, with dead carcasses will be safely and properly removed form the residential property by January 31, 2026.
2. The Landlord alleges the Tenants have not complied and that there are dead carcasses in the containers.
3. The Tenant testified that all have been removed and they sent an invitation to the Landlord to inspect. The Landlord has not chosen to inspect the property.

4. Considering the fact that the Landlord has not inspected to determine if the Tenants are in breach, and the fact that the deadline in the order is not until January 31, 2026, which is still 9 ½ months away, I find that it would be unfair to set aside order LTB-L-011172-26.

It is ordered that:

1. The motion to set aside Order LTB-L-011172-26, issued on February 10, 2026, is granted.
2. Order LTB-L-011172-26, issued on February 10, 2026, is set aside and cannot be enforced.

March 16, 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.