



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

File Number: LTB-L-006400-26-SA

In the matter of: 307, 652 HALE ST
LONDON ON N5W1H4

Between: Na-Sh Investments Ltd Landlord

And

Linda Arndt Tenants
Phil Arndt

Na-Sh Investments Ltd (the 'Landlord') applied for an order to terminate the tenancy and evict Linda Arndt and Phil Arndt (the 'Tenants') and for an order to have the Tenants pay the rent they owe because the Tenants did not meet a condition specified in the order issued by the LTB on April 22, 2025 with respect to application LTB-L-104065-24.

The Landlord's application was resolved by order LTB-L-006400-26, issued on January 30, 2026. This order was issued without a hearing being held.

The Tenant Phil Arndt filed a motion to set aside order LTB-L-006400-26.

This motion was heard by videoconference on March 18, 2026.

The Landlord's Agent Collen English, the Landlord's Legal Representative Samantha Lee and the Tenant Phil Arndt attended the hearing. The Tenant was assisted by Jamie Burton.

Determinations:

There was a breach of the previous order

1. The Tenants failed to meet a condition specified in the order issued by the LTB on April 22, 2025 with respect to application LTB-L-104065-24. The Tenant acknowledged they failed to pay the monthly rent on January 1, 2026 and that they failed to pay the required amount towards the rent arrears on January 20, 2026 as the January 30, 2026 *ex parte* order determined.

The surrounding circumstances

2. The Tenant explained that his wife, the other Tenant, Linda Arndt passed away in the rental unit after the original order was issued. Understandably, this sad event had a significant impact on Mr. Arndt. He testified that ODSP cut off his benefits because they mistakenly understood that it was he that had passed away. ODSP corrected the issue and restored his benefits in January 2026. Mr. Arndt also explained that with the loss of his wife, the household no longer receives her monthly benefits. Mr. Arndt's monthly income that he receives from ODSP is less than the current monthly rent.
3. It was not disputed the current outstanding rent arrears are \$10,014.50 for the period ending March 31, 2026.
4. Mr. Arndt testified that he had hoped additional pensions would have been available to him so that he could pay the Landlord the rent arrears owing. I asked the Tenant if he had any idea when he might receive additional money and he acknowledged he had no foreseeable date I could rely on when considering his circumstances. Mr. Arndt agreed that his current income is not sufficient to sustain the tenancy and that it would not be fair to the Landlord to keep them in tenancy that is no longer viable.
5. Having considered the circumstances, I do find the tenancy is no longer financially viable. Sadly, the Tenant can no longer afford the monthly rent, nor a meaningful payment towards the rent arrears. In my view, it would be unfair to set aside the January 30, 2026 order and keep the parties in a tenancy that cannot be sustained. For these reasons, the Tenant's motion is denied.

Lifting of the stay

6. The Tenant requested that lifting the stay of order LTB-L-006400-26 be delayed until April 30, 2026. He explained that he is a C4 quadriplegic and that while he is physically ok sometimes, he will need time to find a new home.
7. The Landlord was opposed to any delay in lifting the stay. The Landlord stated that delays with Sheriff enforcement will already provide the Tenant with a delay. I note the timing of enforcement through the Sheriff is not a function of the Board. I also find the Tenant has established an obvious need for some additional time and I find his request is reasonable.
8. The stay of order LTB-L-006400-26 is lifted on April 30, 2026.

It is ordered that:

1. The motion to set aside Order LTB-L-006400-26, issued on January 30, 2026, is denied.
2. The stay of order LTB-L-006400-26 is lifted on April 30, 2026.
3. Order LTB-L-006400-26 is unchanged.

March 27, 2026
Date Issued

John Cashmore
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.