



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

File Number: LTB-L-002222-26-SA

In the matter of: 9, 821 MAIN STREET EAST
HAMILTON, ON L8M1L7

Between: HashGacha Investment Ltd. Landlord
Cornerstone Select Properties Inc.

and

James Stevens Tenants
Sara Christina Catherine Porter

SET ASIDE MOTION ORDER ON CONSENT

HashGacha Investment Ltd. and Cornerstone Select Properties Inc. (the 'Landlord') applied in a L4 application to terminate the tenancy and evict James Stevens and Sara Christina Catherine Porter (the 'Tenants') and for an order to have the Tenants pay the rent they owe because the Landlord claimed the Tenants failed to meet a condition specified in the prior consent order issued by the LTB on February 13, 2025 with respect to L1 application LTB-L-087858-24.

The Landlord's L4 application was resolved by order LTB-L-002222-26 issued on January 14, 2026, which terminated the tenancy effective January 25, 2026 (the 'L4 Order'). The L4 Order was issued without a hearing being held.

On January 28, 2026 the Tenants filed a motion to set aside the L4 Order.

The set aside motion was heard by videoconference on February 23, 2026. The Tenant Ms. Porter attended on behalf of both Tenants (James Stevens is her partner) with their agent Ersal Lybesha (housing legal advocate with Reaching Home Division, Good Shepherd). The Landlord's agent Violette Kocalev (senior property manager with Cornerstone) also attended the hearing.

The parties mutually agreed to resolve all matters at issue in the application and requested an order on consent. I was satisfied that the parties understood the consequences of the joint submission.

It is ordered on consent that:

1. The Landlord consents to the Tenants' set aside motion. The L4 Order LTB-L-002222-26 issued on January 14, 2026 is set aside and cannot be enforced. The prior L1 consent order LTB-L-087858-24 is replaced by this order.

2. The parties agree that the total amount currently owing is \$2,606.00 (made up of rent arrears up to February 28, 2026 of \$2,100.00, plus filing fee \$186.00, plus sheriff's fee of \$320.00).
3. The Landlord's L1 application seeking eviction is denied, on the conditions set out below.
4. The Tenants shall pay to the Landlord **\$2,606.00** according to the following repayment schedule:
 - (a) the Tenants shall pay the total amount owing on or by March 31, 2026 (potentially through Good Shephard); and
 - (b) The Tenants shall pay the lawful monthly rent for March 2026 on or by March 1, 2026.
5. If the Tenants fail to pay either of the payments as ordered above in paragraphs 4(a) or 4(b), the outstanding balance of any arrears of rent, sheriff's fees, and costs owing as ordered above shall become immediately due and owing. If a breach of any condition in this order occurs, then the Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy, evicting the Tenants, and requiring the Tenants to pay any new arrears, NSF fees and related charges that became owing after the breach. The Landlord must make the application within 30 days of a breach of a condition set out in paragraph 4.

April 8, 2026
Date Issued

Michelle Tan

Vice Chair, 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.