



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

File Number: LTB-L-000785-26-SA

In the matter of: Back Unit, 91 ALBERT ST S
ORILLIA ON L3V5L1

Between: Tracy Hurst Landlorda
Shaun Preston

And

Stacey Smith Tenants
Nathan Williams

Tracy Hurst and Shaun Preston (the 'Landlords') applied for an order to terminate the tenancy and evict Stacey Smith and Nathan Williams (the 'Tenants') and for an order to have the Tenant pay the rent they owe because the Tenants did not meet a condition specified in the order issued by the LTB on December 29, 2025 with respect to application LTB-L-099077-25.

The Landlords' application was resolved by order LTB-L-000785-26, issued on January 12, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-000785-26.

This motion was heard by videoconference on April 2, 2026.

The Landlords, the Landlords' Agent Michael Preston, the Tenant Stacey Smith and the Tenants' Legal Representative Mary Wennekers attended the hearing. The Tenant was supported by Naomi Taylor.

At the hearing, the parties before the Board consented to the following order. I was satisfied the parties understood the consequences of the joint position.

On consent of the parties, it is ordered that:

1. The motion to set aside Order LTB-L-000785-26, issued on January 12, 2026, is granted.
2. Order LTB-L-000785-26, issued on January 12, 2026, is set aside and cannot be enforced.
3. The previous order issued on December 29, 2025 with respect to LTB-L-099077-25 is cancelled and replaced with the following:

4. The Tenants shall pay to the Landlords \$14,155.00 for arrears of rent up to April 30, 2026 and costs.
5. The Tenants shall pay the amount set out in paragraph 4 to the Landlords, in full, on or before July 6, 2026.
6. The Tenants shall also pay to the Landlords new rent on time and in full as it comes due and owing for the period starting May 1, 2026 and until July 1, 2026, or until the arrears are paid in full, whichever date is earliest. The current monthly rent is \$2,500.00.
7. The Landlords' shall not consider the monthly rent payments required in paragraph 6 of this order to be late until the 3rd day of each month in which the payment is due.
8. If the Tenants fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenants to the Landlords pursuant to paragraph 4 of this order shall become immediately due and owing and the Landlords may, without notice to the Tenants, apply to the LTB within 30 days of the Tenants' breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenants and requiring that the Tenants pay any new arrears, NSF fees and related charges that became owing after April 30, 2026.

April 8, 2026
Date Issued

John Cashmore
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.