



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

Citation: Riverside Developments V Aktas, 2026 ONLTB 29558

Date: 2026-04-16

File Number: LTB-L-015688-26-SA

In the matter of: 302, 3801 RIVERSIDE DR E
WINDSOR ON N8Y1B2

Between: Riverside Developments Landlord

And

Gul (Rose) Aktas Tenant

Riverside Developments (the 'Landlord') applied for an order to terminate the tenancy and evict Gul (Rose) Aktas (the 'Tenant') and for an order to have the Tenant pay compensation for damage they owe because the Tenant did not meet a condition specified in the order issued by the LTB on November 10, 2025 with respect to application LTB-L-024481-25.

The Landlord's application was resolved by order LTB-L-015688-26, issued on February 24, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-015688-26.

This motion was heard by videoconference on April 7, 2026.

The Landlord's legal representative, Sean Beard, and the Tenant attended the hearing.

Determinations:

1. The Tenant failed to meet a condition specified in the order issued by the LTB on November 10, 2025 with respect to application LTB-L-024481-25. The Tenant was required to make monthly payments of \$629.90 on the 15th of each month from December 2025 to May 2026. No payment was made in December 2025 and the February 2026 payment was late.
2. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-015688-26. The Tenant's income is commission based and they earned less in December to February. Although the first three payments were not made in accordance with the order, the Tenant paid the entire amount ordered on April 5, 2026, a month before the payment plan was to be completed. As a result, the Landlord has been made whole

within the time frame set out by the original order, which, in my view, was the objective of the original order. As the objective of the original order has been met, it would not be unfair to set aside the ex parte eviction order.

It is ordered that:

1. The motion to set aside Order LTB-L-015688-26, issued on February 24, 2026, is granted.
2. Order LTB-L-015688-26, issued on February 24, 2026, is set aside and cannot be enforced.
3. It is confirmed that the payments made by the Tenant between January 15, 2026 and April 5, 2026, totalling \$3,779.40 are to be applied to the damages as determined in LTB-L-024481-25 and not to rent or arrears.

April 16, 2026

Date Issued

Dawn Carr

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.