



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

File Number: LTB-L-015804-26-SA

In the matter of: 901, 285 MELVIN AVE
HAMILTON ON L8H2K4

Between: 285 Melvin Apts Limited Landlord

And

Russell Steven Bain Tenants
Lisa May Kathleen Croft

285 Melvin Apts Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Russell Steven Bain and Lisa May Kathleen Croft (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 February 6, 2026 with respect to application LTB-L-006727-26.

The Landlord's application was resolved by order LTB-L-015804-26, issued on February 27, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-015804-26.

This motion was heard by videoconference on April 13, 2026. The Landlord's representative Darren Fink, and the Tenant Lisa May Kathleen Croft, attended the hearing.

Determinations:

1. The Tenants motion to set aside was filed with the Board after order LTB-L-015804-26 was enforced for vacant possession.
2. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-015804-26.

It is ordered that:

1. The motion to set aside Order LTB-L-015804-26, issued on February 27, 2026, is denied.
2. The stay of order LTB-L-015804-26 is lifted immediately.
3. Order LTB-L-015804-26 is unchanged.

April 14, 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.