



Order under Section 94.11(3) Residential Tenancies Act, 2006

Citation: Ryegate (Tecumseh) Co-operative Homes v Longmuir, 2026 ONLTB 32038

Date: 2026-04-23

File Number: LTB-C-093247-25

In the matter of: 1573 COMMUNITY CRESCENT
TECUMSEH ONTARIO N8N 4T3

Between: Ryegate (Tecumseh) Co-operative Homes Co-op

And

Paige Longmuir Co-op Member

Ryegate (Tecumseh) Co-operative Homes (the 'Co-op') applied for an order to end the occupancy of the member unit and evict Paige Longmuir (the 'Co-op Member') because the Co-op Member failed to meet a condition specified in the with respect to application LTB-C-092531-24.

The Co-op's application was resolved by order LTB-C-093247-25, issued on November 10, 2025. This order was issued without a hearing being held.

The Co-op Member filed a motion to set aside order LTB-C-093247-25.

This motion was heard by videoconference on March 3, 2026.

The Co-op's legal representative Richard Lammers, the Co-op's agent Sandra Kako, and the Co-op Member attended the hearing.

Determinations:

There was a breach of the previous order

1. The Co-op Member agreed that they failed to meet a condition specified in the with respect to application LTB-C-092531-24, specifically, that utilities were not kept in good standing as of October 16, 2025.

The surrounding circumstances

2. The Co-op Member testified that she has struggled with mental health challenges and sobriety. During this time the Co-op Member stayed with her mother and experienced the loss of her employment for a second time.

3. The Co-op Member's evidence is that she was trying to pay bills at her mother's residence, and the rental unit, which caused financial hardship.
4. The Co-op Member also testified that she has taken draws from her retirement savings to pay bills and as of the date of the hearing all utilities were current with a \$200.00 credit on the utility accounts. The Co-op Member submitted a screenshot of a two bill payments to "Essex Power Lines" dated February 27, 2026, for both water and "hydro" charges.
5. The Co-op Member is seeking treatment for her mental health issues and sobriety by entering a 35-day residential treatment program that was scheduled to commence the Monday following the hearing date.
6. The Co-op Member gave evidence that she is caught up on her bills with a credit being applied to the accounts and has arranged for someone to manage bill payments when she is pursuing treatment.
7. The Co-op's Representative disputed the Co-op Member's testimony that utilities were paid and made submissions in relation to the history of previous orders relating to the Co-op Member's occupancy of the unit. A timeline showing the dates of previous orders and set aside motions was submitted by the Co-op.
8. The timeline of orders in relation to the Co-op Member's occupancy notes that there have been previous orders for arrears of regular monthly housing charges and set aside motions filed in relation to those orders however, in relation to order LTB-C-092531-24 pertaining to the good standing of utilities, there has been only one previous set aside motion filed by the Co-op Member.
9. It should also be noted that a previous set aside motion filed in relation to arrears of regular monthly housing charges was granted on the basis that the Co-op Member had paid all of the arrears.
10. The Co-op Member is actively seeking assistance for issues with sobriety and mental health which shows an intention to address the underlying issues that she submits contributed to her challenges in maintaining the utility accounts in good standing.
11. Further, the Co-op Member has shown concerted efforts to resolve issues in relation to arrears of regular monthly housing charges by paying the amounts owed, and by attending this hearing with evidence of payments being made to bring utilities accounts into good standing.
12. There was insufficient evidence to demonstrate that there would be prejudice to the Co-op if the order were set aside.
13. I find that despite the breach of the previous order, when considering all of the circumstances it would not be unfair to set aside order LTB-C-093247-25.

14. Pursuant to section 78(12) as referenced in section 94.11(3), despite the order for payment of utilities in LTB-C-092531-24 being in effect until December 31, 2025, I find it is appropriate to extend the length of the conditional order for a further period of one year.
15. Accordingly, the Co-op Member is required to maintain their utility accounts in good standing commencing May 15, 2026, up to and including May 14, 2027.

It is ordered that:

1. The motion to set aside Order LTB-C-093247-25, issued on November 10, 2025, is granted.
2. Order LTB-C-093247-25, issued on November 10, 2025, is set aside and cannot be enforced.
3. The order issued with respect to LTB-C-092531-24 is amended as follows:
 - a. For a 12-month period commencing May 15, 2026, up to and including May 14, 2027, the Co-op Member shall ensure that the utilities are maintained in good standing.
 - b. If the Co-op Member fails to comply with the conditions set out in paragraph 3. a. of this order, the Co-op may apply under section 94.11 of the Residential Tenancies Act, 2006 (the 'Act') for an order terminating the occupancy and evicting the Coop Member. The Co-op must make the application within 30 days of a breach of a condition. This application is made to the L TB without notice to the Co-op Member.

April 23, 2026
Date Issued

Kyle McGraw

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.