



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

File Number: LTB-L-013359-26-SA

In the matter of: 1208, 810 OUELLETTE AVE
WINDSOR ON N9A6Z1

Between: Ouellette Place Inc Landlord

And

William Ruelland Tenants
Jamie Gilson

Ouellette Place Inc (the 'Landlord') applied for an order to terminate the tenancy and evict William Ruelland and Jamie Gilson (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 September 24, 2025 with respect to application LTB-L-056095-SA.

The Landlord's application was resolved by order LTB-L-013359-26, issued on February 23, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-013359-26.

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

The Landlord's agent, Debbie Schmutz, the Landlord's legal representative, and the Tenants attended the hearing.

Determinations:

1. The Tenants failed to meet a condition specified in the order issued by the LTB on September 24, 2025 with respect to application LTB-L-056095-SA. The Tenants failed to pay the rent which came due on February 1, 2026, and the arrears payment which came due on February 1, 2026. Nothing has been paid for the months of January 2026 to April 2026.

2. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-013359-26. The Tenants had unexpected expenses due to a death in the family. While this may have impacted the ability to pay rent in January, it does not explain the total lack of payment for 4 months. The Tenants previously breached the initial payment plan, resulting in this revised payment plan which has now also been breached. As this is the second payment plan which has not been complied with relating to this arrears application, the Tenants' submissions that they will comply if given a third chance are less credible.
3. The stay of order LTB-L-013359-26 is lifted on May 7, 2026. The Tenants have unique medical and legal circumstances which make moving more complicated. In consideration of the Tenants' circumstances, the Landlord was amenable to a short delay in termination.
4. The Tenants dispute the Landlord's assertion that there is no rent deposit. Parties were given until April 14, 2026 to provide post hearing submissions on the subject of the existence of a rent deposit. The Landlord submitted a copy of the original rental application, which states there is no rent deposit. The Tenants made no submissions. Accordingly, I find that there is no rent deposit.

It is ordered that:

1. The motion to set aside Order LTB-L-013359-26, issued on February 23, 2026, is denied.
2. The stay of order LTB-L-013359-26 is lifted on May 7, 2026/
3. Order LTB-L-013359-26 is unchanged.

April 24, 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.