



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

File Number: LTB-L-023774-26-SA

In the matter of: UPPER, 4588 NELSON CRES
NIAGARA FALLS ON L2E1E9

Between: ALIDA HARCEVIC Landlord

And

JANA VETROVSKY Tenants
RODNEY VETROVSKY

ALIDA HARCEVIC (the 'Landlord') applied for an order to terminate the tenancy and evict JANA VETROVSKY and RODNEY VETROVSKY (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 mediated settlement signed by the parties on February 12, 2026 with respect to application LTB-L-099437-25.

The Landlord's application was resolved by order LTB-L-023774-26, issued on March 23, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-023774-26.

This motion was heard by videoconference on April 30, 2026. The Tenant Jana Vetrovsky attended the hearing.

As of 2:00pm, the Landlord was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Tenant's evidence.

Determinations:

1. The Landlord did not attend the hearing to challenge the Tenants' motion to set aside order LTB-L-023774-26. The Tenant testified that the Landlord has agreed to a new repayment plan.
2. signed by the parties on February 12, 2026 with respect to application LTB-L-099437-25.
3. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-023774-26.

It is ordered that:

1. The motion to set aside Order LTB-L-023774-26, issued on March 23, 2026, is granted.
2. Order LTB-L-023774-26, issued on March 23, 2026, is set aside and cannot be enforced.

May 5, 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.