



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

**File Number:** LTB-L-018174-26-SA

**In the matter of:** A11, 160 CENTURY HILL DR  
KITCHENER ON N2E2W6

**Between:** K-W Multigroup Homes Inc. c/o DMS Landlord  
Property Management Ltd.

**And**

Elizabeth Lenz Tenant  
James Weir  
Jordan Weir

K-W Multigroup Homes Inc. c/o DMS Property Management Ltd. (the 'Landlord') applied for an order to terminate the tenancy and evict Elizabeth Lenz, James Weir and Jordan Weir (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the order issued by the LTB on May 29, 2025 with respect to application LTB-L-023327-25.

The Landlord's application was resolved by order LTB-L-018174-26, issued on March 6, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-018174-26.

This motion was heard by videoconference on April 29, 2026.

The Landlord's legal representative Emily McGivern and the Tenant James Weir attended the hearing.

**Determinations:**

There was a breach of the previous order

1. The Tenant admits that he failed to meet a condition specified in the order issued by the LTB on May 29, 2025 with respect to application LTB-L-023327-25. Specifically, the Tenant testified that he didn't pay the monthly rent on February 1, 2026, didn't pay the monthly rent on March 1, 2026, didn't make the arrears payment on March 20, 2026, didn't pay the monthly rent on April 1, 2026, and didn't pay the arrears payment on April 20, 2026.

The surrounding circumstances

2. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-018174-26. The Tenant testified that he ran into financial issues but is now working and can make payments to the Landlord.
3. I do not find the Tenant's evidence regarding his circumstances to be credible. The Tenant did not provide any documentary evidence to substantiate his apparent change in financial circumstances or to satisfy me, on a balance of probabilities, that he is able to comply with a payment plan. Moreover, the Tenant's ongoing breach of the Order following the lifting of the stay undermines his position and does not support a finding that he is capable of making payments as directed by the Board.

The stay is lifted on May 31, 2026

4. The stay of order LTB-L-018174-26 is lifted on May 31, 2026. I find this to be an appropriate date as the tenancy is long-standing, lasting over 18 years. Given the Tenant's evidence about his personal circumstances. I find a delayed lifting of the stay until May 31, 2026 shall provide the Tenant sufficient time to find alternative living accommodations.

**It is ordered that:**

1. The motion to set aside Order LTB-L-018174-26, issued on March 6, 2026, is denied.
2. The stay of order LTB-L-018174-26 is lifted on May 31, 2026.
3. Order LTB-L-018174-26 is unchanged.

**May 5, 2026**  
**Date Issued**

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Brett Lockwood  
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.