



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

File Number: LTB-L-025132-26-SA

In the matter of: 1, 73 SHERMAN AVE S
HAMILTON ON L8M2P8

Between: adrian Lazarovits Landlord

And

DARRYN JAMES COLEMAN Tenants
MELANIE ANNE BARRY

adrian Lazarovits (the 'Landlord') applied for an order to terminate the tenancy and evict DARRYN JAMES COLEMAN and MELANIE ANNE BARRY (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 September 15, 2025 with respect to application LTB-L-053252-25.

The Landlord's application was resolved by order LTB-L-025132-26, issued on March 27, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-025132-26.

This motion was heard by videoconference on May 6, 2026. The Landlord and the Tenant Darryn James Coleman, attended the hearing.

Determinations:

1. With the assistance of a Board Dispute Resolution Officer, the parties agreed that the Tenants owed the Landlord \$ in arrears and costs to the end of September 2025. The Tenants agreed to pay rent on time plus \$800.00 until the entire amount owing was paid in full.
2. When the Landlord filed the L4 application on March 20, 2026, the amount the Tenants owed had increased to \$19,950.00. The Tenants have made no further payments. The amount they now owe has increased to \$24,350.00.
3. The Tenants moved into the rental unit in March 2025. In the 15 months since the Tenants moved into the rental unit, the Tenants have failed to pay 11 months rent.

4. The Tenant testified that they are waiting for support to pay the arrears. There was no evidence that the Tenants are to receive support to pay the Landlord.
5. After considering all of the circumstances, including the significant number of months the Tenants have not paid rent in a relatively short tenancy, as well as the fact the arrears of rent continue to increase without complying with the conditions of the consent order, I find that it would be unfair to set aside order LTB-L-025132-26.

It is ordered that:

1. The motion to set aside Order LTB-L-025132-26, issued on March 27, 2026, is denied.
2. The stay of order LTB-L-025132-26 is lifted immediately.
3. Order LTB-L-025132-26 is unchanged.

May 11, 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.

