



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

File Number: LTB-L-022838-26-SA

In the matter of: 404, 4 APPLEWOOD DR
BELLEVILLE ON K8P4E2

Between: LivCity Properties Landlord

And

Donald Ryles Tenant

LivCity Properties (the 'Landlord') applied for an order to terminate the tenancy and evict Donald Ryles (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 September 10, 2025 with respect to application LTB-L-051895-25.

The Landlord's application was resolved by order LTB-L-022838-26, issued on March 20, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-022838-26.

This motion was heard by videoconference on May 4, 2026.

The Landlord's legal representative Lorrie McCullough and the Tenant attended the hearing.

Determinations:

There was a breach of the previous order

1. The Tenant admits that they failed to comply with a condition set out in the order issued by the LTB on September 10, 2025, with respect to application LTB-L-051895-25. Specifically, the Tenant agrees with the Landlord that the arrears payment of \$129.00 due on February 20, 2026 was not made, nor has the Tenant made any payments to the Landlord since that date.

The surrounding circumstances

2. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-022838-26.

3. The Tenant admits that the “fell behind” and are having financial difficulties, which began with their son’s passing in July 2025. Of note, the order issued in LTB-L-051895-25 was made September 10, 2025, and took into account the Tenant’s circumstances at that time.
4. I am not satisfied with the reason provided for the Tenant’s default under the original agreement. The Tenants made no effort to comply with the order in the last three months.
5. Further, the Tenant provided no documentary or other supporting evidence to demonstrate an ability to make payments going forward. As an example, the Tenant indicated they are about to receive a settlement payment that would allow them to clear the arrears however did not provide any documents to support their submission. Based on the evidence before me, I am not satisfied that Tenant will be able to make payments moving forward.

The stay is lifted on May 31, 2026

6. The stay of order LTB-L-022838-26 is lifted on May 31, 2026. I find this to be appropriate as given the Tenants’ circumstances it will provide sufficient time for the Tenant to find alternative living accommodations.

It is ordered that:

1. The motion to set aside Order LTB-L-022838-26, issued on March 20, 2026, is denied.
2. The stay of order LTB-L-022838-26 is lifted May 31, 2026.
3. Order LTB-L-022838-26 is unchanged.

May 8, 2026
Date Issued

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.