



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

File Number: LTB-L-022698-26-SA

In the matter of: 705, 168 PLAINS RD W
BURLINGTON ON L7T4M3

Between: DREWLO HOLDINGS INC. Landlord

And

GARY TREUSCH Tenant

DREWLO HOLDINGS INC. (the 'Landlord') applied for an order to terminate the tenancy and evict GARY TREUSCH (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 February 17, 2026 with respect to application LTB-L-105571-25.

The Landlord's application was resolved by order LTB-L-022698-26, issued on March 17, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-022698-26.

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

The Landlord's agent Anna Glen and the Tenant attended the hearing.

Determinations:

There was a breach of the previous order

1. The Tenant failed to comply with a condition set out in the order issued by the Landlord and Tenant Board on February 17, 2026, in application LTB-L-105571-25. Specifically, the Tenant was required to pay \$2,603.40, the full amount of arrears outstanding as of the date of the original hearing, by February 28, 2026. The Tenant remitted only \$714.37 toward the arrears by that deadline.
2. The order further required the Tenant to pay monthly rent in full and on time. The Tenant paid the March 2026 rent on March 16, 2026, after the date it became due. While the Tenant subsequently paid the rent for April and May 2026 on time, the March payment did not comply with the order.

3. At the set aside motion, the Tenant's main submission was that the original order failed to account for a payment made two days prior to the original hearing. A set aside motion is not the appropriate forum to raise this issue, and no request for review of the original order has been filed.
4. The parties subsequently agreed at the motion that the amount of \$1,879.08 remains outstanding under the original order.

The surrounding circumstances

5. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-022698-26.
6. The Tenant testified that he is 78 years old, receives Old Age Security and Canada Pension Plan benefits, and is also employed part-time. He further stated that he had experienced recent health issues that required multiple hospital visits, but that his condition has since improved. The Tenant submitted that he is able to pay the arrears in full by May 31, 2026, while continuing to make his regular monthly rent payments.
7. Having considered the Tenant's personal and financial circumstances, I find it reasonable to provide the Tenant with one final opportunity to preserve the tenancy. As the failure to fully satisfy the arrears occurred from a misunderstanding regarding the amounts owing, I find it appropriate to allow the Tenant until May 31, 2026, to pay the outstanding arrears in full. Furthermore, I find that the Tenant will abide by the on-going monthly rental payments as previously ordered given his recent pattern of payments.

It is ordered that:

1. The motion to set aside Order LTB-L-022698-26, issued on March 17, 2026, is granted.
2. Order LTB-L-022698-26, issued on March 17, 2026, is set aside and cannot be enforced.
3. The previous order issued on February 17, 2026 with respect to LTB-L-105571-25 is cancelled and replaced as follows.
4. The Tenant shall pay to the Landlord \$1,879.08 for arrears of rent up to May 31, 2026 and costs. The Tenant shall pay this amount in full to the Landlord on or before May 31, 2026.
5. The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period June 2026 to May 2027.
6. If the Tenant fails to make payment pursuant to paragraph 4 of this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord shall become immediately due and owing and the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after May 31, 2026.

7. Should the Tenant clear the arrears in full pursuant to paragraph 4, but fail to make all payments in accordance with paragraph 5, the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant.

May 14, 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.