



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

File Number: LTB-L-019019-26-SA

In the matter of: B3, 1191 ELLESMERE RD
SCARBOROUGH ON M1P2X6

Between: Strathgowan Apartments Landlord

And

Jason Crocker Tenant

Strathgowan Apartments (the 'Landlord') applied for an order to terminate the tenancy and evict Jason Crocker (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 20, 2026 with respect to application LTB-L-100529-25.

The Landlord's application was resolved by order LTB-L-019019-26, issued on March 9, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-019019-26.

This motion was heard by videoconference on May 19, 2026. The Landlord represented by Patty Duwyn, and the Tenant, who met with Duty Counsel, attended the hearing.

Determinations:

1. The Tenant moved into the rental unit in July 2025. The lawful monthly rent is \$1,575.00. With the assistance of a Board Dispute Resolution Officer, it was agreed that the Tenant owed the Landlord \$6,461.00 in arrears and costs to the end of February 2026. Since the Tenant moved into the rental unit the Tenant had paid less than half the rent that had become due.
2. The parties consented to an order granting relief from eviction on the condition the Tenant paid rent on time as well as \$719.89 on or before the 15th day of each month beginning in March 2026.
3. The Tenant missed the first four payments, but did make a \$2,575.00 payment on April 30th. The last payment the Tenant made before the April 30th payment was a \$1,600.00 payment on November 15, 2025.

4. The amount the Tenant owes the Landlord has increased to \$8,941.00. The amount the Tenant owes is more than 5 1/5 months rent in the 10 months of rent that has become due since the Tenant moved in after the Tenant paid a first and last month rent deposit.
5. After considering all of the circumstances, including the fact that the Tenant agreed to a repayment plan in February and made no payments to the Landlord until the end of April, that the arrears continue to increase and are equal to half of the that has become due, I am not satisfied that the Tenant will comply with another conditional order. I find that it would be unfair to set aside order LTB-L-019019-26.

It is ordered that:

1. The motion to set aside Order LTB-L-019019-26, issued on March 9, 2026, is denied.
2. The stay of order LTB-L-019019-26 is lifted immediately.
3. Order LTB-L-019019-26 is unchanged.

May 22, 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.

