



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

File Number: LTB-L-023799-26-SA

In the matter of: 710, 1400 OUELLETTE AVE
WINDSOR ON N8X4T4

Between: Hazelview Property Services Inc

Landlord

And

Dale Kerr

Tenant

Hazelview Property Services Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Dale Kerr (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 25, 2026 with respect to application LTB-L-104205-25.

The Landlord's application was resolved by order LTB-L-023799-26, issued on March 23, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-023799-26.

This motion was heard by videoconference on May 21, 2026. The Landlord's representative Cameron Parrott, and the Tenant, attended the hearing.

Determinations:

1. The Tenant owed the Landlord \$4,743.33 in arrears and costs to the end of February 2026. The Board Member granted relief from eviction on the condition the Tenant paid rent in full and on time plus an additional \$900.00 on or before the 15th day of each month from March until the arrears and costs were paid in full.
2. As of the date of this hearing the amount the Tenant owes the Landlord has increased to \$4,891.50.
3. In addition, the Tenant did not pay the full amount of rent for March and did not pay April rent until April 10th.
4. Order LTB-L-104205-25 noted that this is a long-term tenancy, and granted relief based on the payment plan the Tenant proposed. The Tenant testified that he had found new employment through the carpenter's union and was hopeful that he would be able to pay off his arrears if a payment plan was granted.

5. It was also noted in the order that the Landlord opposed the request for relief as the Landlord has been before the Board previously. The rent ledger also shows that the Tenant has been in arrears since 2023. At this hearing the Landlord outlined the multiple orders that the Board has issued with this tenancy. The Landlord also submits that when the N4 was served on the Tenant in November 2025, the Tenant owed \$1,881.19. The amount the Tenant now owes, despite the Board granting relief from eviction, has increased to nearly \$5,000.00.
6. The Tenant has been provided multiple opportunities to catch up with the arrears of rent and to pay rent on time. The record shows that for an extended period the Tenant has not been able to comply with these requirements of the tenancy.
7. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-023799-26. Considering the length of the tenancy, lifting the stay will be delayed until the end of August to provide additional time for the Tenant to relocate.

It is ordered that:

1. The motion to set aside Order LTB-L-023799-26, issued on March 23, 2026, is denied.
2. The stay of order LTB-L-023799-26 is lifted on August 31, 2026.
3. Order LTB-L-023799-26 is unchanged.

May 29, 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.

