



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

File Number: LTB-L-024039-26-SA

In the matter of: 9A, 46 EMPRESS AVE
SMITHS FALLS ON K7A4V8

Between: Lanark County Housing Corporation Landlord

And

Derek Frizell Tenants
Allison Frizell
Darion Frizell
Trent Frizell
Kaylee Frizell

Lanark County Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Derek Frizell, Allison Frizell, Darion Frizell, Trent Frizell and Kaylee Frizell (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 order issued by the LTB on October 8, 2025 with respect to application LTB-L-060126-25.

The Landlord's application was resolved by order LTB-L-024039-26, issued on March 23, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-024039-26.

This motion was heard by videoconference on May 25, 2026. The Landlord's representative Andrea Brown, and the Tenants Allison, Derek, and Kaylee Frizell, represented by Linda Tranter, attended the hearing.

The Landlord consents to the Tenants' motion to set aside. The parties agree the Tenants owe the Landlord \$11,388.00 in arrears and costs to the end of May 2026.

The parties also agree that the rent is geared to income and that if there is a reassessment, a credit will reduce that amount the Tenants owe the Landlord.

On consent it is ordered that:

1. The motion to set aside Order LTB-L-024039-26, issued on March 23, 2026, is granted.

2. Order LTB-L-024039-26, issued on March 23, 2026, is set aside and cannot be enforced.
3. Order LTB-L-060126-25 is cancelled and replaced with the following:
4. The Tenants shall pay to the Landlord \$11,388.00 plus rent as it becomes due as follows:
 - The Tenants shall pay to the Landlord June rent on or before June 1, 2026.
 - The Tenants shall pay to the Landlord July rent oof July 1, 2026.
 - The Tenants shall pay to the Landlord the lawful rent plus \$50.00 on or before the 1st day of each consecutive month commencing August 2026 and continuing until the balance of the arrears and costs are paid in full.
5. In the event the Tenants fail to make the above said payments in full and on time, the entire balance of the amount set out in this Order will become due and payable forthwith under this Order. The Landlord shall be entitled to apply to the Board, no later than 30 days after a breach of this Order, without notice to the Tenants, for an Order terminating the tenancy and evicting the Tenants and for any arrears that become due after the date of this order, pursuant to Section 78 of the Residential Tenancies Act, 2006.

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.

