



**Order under Section 21.2 of the
Statutory Powers Procedure Act and the
Residential Tenancies Act, 2006**

Citation: Q Res V Operating LP v McKenzie, 2026 ONLTB 42676

Date: 2026-05-29

File Number: LTB-L-006739-26-RV

In the matter of: 218, 385 Vine St
St Catharines ON L2M6W4

Between: Q Res V Operating LP Landlord

and

Dillon McKenzie Tenant

and

Sherice Rosegreen Potential Party

Review Order

Q Res V Operating LP (the 'Landlord') applied for an order to terminate the tenancy and evict Dillon McKenzie and Sherice Rosegreen (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant failed to meet a condition specified in the order issued by the Board on March 17, 2025 with respect to application LTB-L-089802-24.

This application was resolved by order LTB-L-006739-26 issued on February 3, 2026.

On May 13, 2026, the Potential Party requested a review of the order and that the order be stayed until the request to review the order is resolved.

On May 14, 2026, interim order LTB-L-006739-26-RV-IN was issued, staying the order issued on February 3, 2026.

This application was heard by videoconference on May 27, 2026.

The Landlord's Legal Representative, Eric Steiman, and the Potential Party attended the hearing. The Potential Party was also assisted by Tenant Duty Counsel, Dan Shoom, during the hearing.

As of 10:43am, the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord and the Potential Party's evidence.

Determinations:

1. At the hearing, the parties present agreed that the Potential Party is not a tenant as defined by the *Residential Tenancies Act, 2006*. The parties consented to have the review denied and requested that the stay be lifted on the previous order. The parties requested that the Board consider their circumstances and determine when the stay of the order should be lifted.
2. The Potential Party requests that the stay be lifted on July 31, 2026. She testified that she has been actively searching for new living accommodations but has encountered difficulties as it is near the end of the month, so she is unable to view any of the places she applied to. She testified that her son attends the school located behind the residential complex and will be finishing school at the end of June and she therefore does not want to be evicted from the rental unit when he finishes school.
3. The Landlord asks that the stay be lifted no later than June 30, 2026. The Landlord's Representative submits that they have not been receiving any rental income with respect to this rental unit and, if the Potential Party is permitted to remain in the rental unit, they will continue to operate at a loss with respect to this unit until vacant possession of the unit is delivered back to the Landlord. He submits that there is a last month rent on deposit for the unit which would be applied to the last month of the tenancy.
4. Given that the Potential Party's son attends school in such close proximity to the rental unit and that there is a last month rent on deposit to be applied which will minimize the Landlord's losses, I find it reasonable to delay eviction until June 30, 2026. However, delaying eviction until July 31, 2026 will be unduly prejudicial to the Landlord as they have already been without any rental income for at least 4 months. Additionally, it was the Tenant's testimony that the difficulty in finding new living arrangements was due to the timing of the month she was applying, so it is reasonable to expect that should she keep looking now at the beginning of June, that issue should resolve. A delay of more than 30 days to the end of June 2026 also allows for her son to finish school and his current school before having to move.
5. For the foregoing reasons, I find it fair and reasonable in the circumstances to lift the stay on the previous order effective June 30, 2026.

It is ordered that:

1. The request to review order LTB-L-006739-26 issued on February 3, 2026 is denied. The order is confirmed and remains unchanged.
2. The interim order issued on May 14, 2026 is cancelled. The stay of order LTB-L-006739-26 is lifted on June 30, 2026.

May 29, 2026
Date Issued

Candace Aboussafy
Member, Landlord and Tenant Board

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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.