



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

Citation: Palysa v Spears, 2026 ONLTB 44192

Date: 2026-06-08

File Number: LTB-L-008292-26-RV

In the matter of: 5, 520 CEDAR POINT RD
TINY ON L9M0H1

Between: Tadeusz Palysa Landlord

And

William aka Roxanne Spears Tenant

Review Order

Tadeusz Palysa (the 'Landlord') applied for an order to terminate the tenancy and evict William aka Roxanne Spears (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The application was resolved by order LTB-L-008292-26 issued on March 30, 2026.

On April 10, 2026 the Tenant requested a review of the order and that the order be stayed until the request to review the order is resolved.

On April 10, 2026 interim order LTB-L-008292-26-RV-IN was issued, staying the order issued on March 30, 2026.

This application was heard by videoconference on June 1, 2026.

The Landlord, the Landlord's legal representative, Joan Backhurst, and the Tenant attended the hearing.

Determinations:

Request to Review

1. The request to review is granted on consent. As a result, order LTB-L-008292-26 issued on March 30, 2026 was cancelled, and a new hearing was held to consider the merits of the original application.

Merits of the Original Application

2. The Landlord served the Tenant with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenant did not void the notice by paying the amount of rent arrears owing by the termination date in the N4 Notice or before the date the application was filed.
3. As of the hearing date, the Tenant was still in possession of the rental unit.
4. The lawful rent is \$850.50. It is due on the 1st day of each month.
5. Based on the Monthly rent, the daily rent/compensation is \$27.96. This amount is calculated as follows: \$850.50 x 12, divided by 365 days.
6. The Tenant has paid \$2,150.00 to the Landlord since the application was filed.
7. The rent arrears owing to June 30, 2026 are \$3,291.00.
8. The Landlord incurred costs of \$244.00 for filing the application and is entitled to reimbursement of those costs.
9. There is no last month's rent deposit.
10. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would not be unfair to grant relief from eviction subject to the conditions set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act.

It is ordered that:

1. The request to review order LTB-L-008292-26 issued on March 30, 2026 is granted.
2. Order LTB-L-008292-26 issued on March 30, 2026 is cancelled and replaced by the following:
 - 1) The Tenant shall pay to the Landlord \$3,477.030 for arrears of rent up to June 30, 2026 and costs.
 - 2) The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:

June 5, 2026	\$850.50
June 15, 2026	\$650.00
July 15, 2026	\$650.00
August 15, 2026	\$650.00
September 15, 2026	\$676.50

- 3) The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period July 1, 2026 to September 1, 2026, or until the arrears are paid in full, whichever date is earliest.
- 4) If the Tenant fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 1 of this order 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 June 1, 2026.

June 8, 2026
Date Issued

Dawn Carr
Member, Landlord and Tenant Board

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