



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

File Number: LTB-L-032786-26-SA

In the matter of: 0309,, 4 TREEWOOD ST
SCARBOROUGH ON M1P3J4

Between: MetCap Living Management Inc. Landlord

And

Ashton Lombardi Tenants
Meghan Kedney

MetCap Living Management Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Ashton Lombardi and Meghan Kedney (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 March 26, 2026 with respect to application LTB-L-004628-26-SA.

The Landlord's application was resolved by order LTB-L-032786-26, issued on April 20, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-032786-26.

This motion was heard by videoconference on June 15, 2026.

The Landlord's Legal Representative, S. Harris, and one of the Tenants, Ashton Lombardi (AL), attended the hearing.

Determinations:

There was a breach of the previous order

1. The Tenant failed to meet a condition specified in the order issued by the LTB on March 26, 2026 with respect to application LTB-L-004628-26-SA. The Tenant did not dispute that he failed to pay the lawful rent for April on or before April 1, 2026.

The surrounding circumstances

2. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-032786-26.

3. The Tenant stated that ever since he was laid off in October 2025 it has been very hard, he has even sold his belongings to pay for expenses. He also stated that when the arrangement was first made he was making the payments as scheduled on the 1st and 20th of each month. However, he acknowledged that he breached the original arrangement and made another payment plan with the Landlord as he had hoped to start work on a new project. But the start date for that project was prolonged (delayed) and is only set to start next week. He requested another payment plan starting on July 1, 2026 wherein he pays the rent and a payment of \$520.00 on the 20th of each month toward the arrears. The Tenant also plans to go to the rent bank but is unsure if he qualifies for any funding. He stated he has no where to go at this time.
4. Under cross-examination, the Tenant confirmed that he breached the original payment plan in January 2026, and at that time it was due to his work project being delayed. Under cross-examination, the Tenant also confirmed that the only payment made pursuant to the second payment plan was \$520.00 on February 20, 2026. Under cross-examination, the Tenant further confirmed that he received E.I. benefits but that the Family Responsibility Office took most of this income and he has no other income sources.
5. The Landlord's Legal Representative submitted that this is the Tenant's second Motion to set aside an order received due to his breach of a payment plan. She submitted that the Tenant has twice failed to meet the payment plan he proposed and his circumstances have not changed since the first payment plan was entered into on consent. She also submitted that the rent arrears have now grown due to the Tenant's failure to meet the terms of these payment plans. She requested that the motion be denied and the stay lifted immediately.
6. Given that the Tenant has breached his proposed payment plans twice, has insufficient income at present to sustain this tenancy and pay off the arrears, any additional income is currently unknown, and the rent arrears have increased, I find that it would be unfair to grant the motion and order another payment plan.

The stay is lifted on June 30, 2026

7. The stay of order LTB-L-032786-26 is lifted on June 30, 2026. The Tenant has resided in the rental unit for almost six years and the Landlord is holding a last month's rent deposit. Given this, I find that it would not be unfair to delay the lifting of the stay until the end of the month to provide the Tenant with some additional time to find alternate housing.

It is ordered that:

1. The motion to set aside Order LTB-L-032786-26, issued on April 20, 2026, is denied.
2. The stay of order LTB-L-032786-26 is lifted as of June 30, 2026.

3. Order LTB-L-032786-26 is unchanged.

June 17, 2026
Date Issued

Lisa Del Vecchio
Member, Landlord and Tenant Board

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