



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

File Number: LTB-L-042003-26-SA

In the matter of: 6-105-3, 3490 SCHMON PKY
THOROLD ON L2V0C4

Between: WCP Lofts 1 LP (DBA Foundry Lofts) Landlord

And

David Ulasika Tenant

WCP Lofts 1 LP (DBA Foundry Lofts) (the 'Landlord') applied for an order to terminate the tenancy and evict David Ulasika (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on April 14, 2026 with respect to application LTB-L-017153-26-SA.

The Landlord's application was resolved by order LTB-L-042003-26, issued on May 19, 2026. This order was issued without a hearing being held. The Tenant filed a motion to set aside order LTB-L-042003-26.

This motion was heard by videoconference on June 18, 2026. The Landlord's Legal Representative, S. Murtadha, and the Tenant attended the hearing.

Determinations:

1. The Tenant failed to meet a condition specified in the order issued by the LTB on April 14, 2026, with respect to application LTB-L-017153-26-SA.
2. The Tenant failed to pay the monthly rent on May 1, 2026.
3. Although the Tenant originally claimed that he paid the rent for June 2026 on the first day of the month, he subsequently admitted that the payment was on June 8, 2026.
4. The Tenant testified that he failed to make the payment on May 1, 2026, due to his mix-up of his account details in the Landlord's resident portal through which he pays the rent. The payment was subsequently made on May 3, 2026. In June 2026, the Tenant had a similar issue with his bank accounts, which again affected his ability to make the payment on time.
5. The Tenant testified that he is an international student whose parents pay the monthly rent because he is unemployed. The issue with his accounts was simply a mix-up and not a lack of funds. The Tenant has lived in the unit for two years and expects his studies to end in approximately a year.

6. The Landlord opposed the motion, stating that it is the Tenant's second motion to set aside an eviction order in the last three months and that the Tenant's bank details have remained the same.
7. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-042003-26. The Tenant filed a motion to set aside order LTB-L-017153-26, issued on March 2, 2026, which terminated the tenancy because the Tenant failed to pay the rent in full on February 1, 2026. Following a hearing on April 2, 2026, order LTB-L-017153-26-SA was issued, on consent, directing the Tenant to pay the rent in full on the first day of the month commencing May 1, 2026, and continuing to April 1, 2027. However, the Tenant failed to make the payment on May 1, 2026.
8. The evidence demonstrates that the Tenant disregards the LTB's orders and is incapable of correcting the pattern of late payments. In this circumstance, I am not satisfied that issuing another conditional order will result in a different outcome.

It is ordered that:

1. The motion to set aside Order LTB-L-042003-26, issued on May 19, 2026, is denied. The order is confirmed and remains unchanged.
2. The stay of order LTB-L-042003-26 is lifted on July 31, 2026.

June 23, 2026
Date Issued

Jitewa Edu
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.