



**Order under Section 74(14)  
Residential Tenancies Act, 2006**

**File Number:** LTB-L-046389-25-VO

**In the matter of:** 2, 156 Emerson Ave  
London ON N5Z3L6

**Between:** Archibald Wesley Lovell Landlord

**And**

Ross Littleton Tenant

Ross Littleton (the 'Tenant') filed a motion to set aside order LTB-L-046389-25 because, before the eviction order was enforced, the Tenant paid the amount required under subsection 74(11) of the *Residential Tenancies Act, 2006* (the 'Act') to void the order.

This motion was heard by videoconference on June 22, 2026.

The Landlord and the Tenant's legal representative, Nazia Fahreen, attended the hearing.

The Tenant was signed in using the PAT terminal at the Board's London location, however, when the matter was called at 1:45pm, the Tenant left the building and advised the LTB at the London office that they would not be returning because they were tired of waiting. The Tenant's representative indicated that they wanted to proceed with the hearing in absence of the Tenant, even though they were unable to reach them after 1:45pm. As of 2:43pm, the Tenant was not present, but their representative provided information on their behalf.

**Determinations:**

1. The Tenant has not previously made a motion under subsection 74(11) of the Act to set aside an eviction order during this tenancy.
2. Before the Tenant filed this motion, the Tenant paid a total of \$2,889.10 to the LTB. The amount paid represents all the rent that is in arrears under the tenancy agreement, all additional rent that would have been due under the tenancy agreement up to May 31, 2026, all NSF and related administration fees the Landlord incurred and the filing fee for this application. This payment is at least the amount required under subsection 74(11) to void the eviction order.
3. The Landlord paid \$335.00 to the Court Enforcement Office (Sheriff) for the purpose of enforcing the eviction and this amount is non-refundable.

4. As of the hearing date, the Tenant has not reimbursed the Landlord for the enforcement costs the Landlord incurred.
5. The Landlord requested that the funds be due immediately because they were tired of LTB proceedings.
6. The Tenant's representative requested that the Tenant be given six months to pay the sheriff's fee.
7. While I accept that the Tenant is in receipt of public assistance for their income, I do not find it appropriate to grant a payment plan on a sheriff fee. The Landlord has incurred this cost and is entitled to the reimbursement of these costs pending the disposition of the matter.
8. The Tenant's representative had indicated that the Tenant has the rent for June, and the Landlord has refused to pick it up. The Landlord states that they don't want to reinstate the tenancy accepting it.
9. I am satisfied that the Tenant has the funds available to reimburse the Landlord the sheriff costs. I find July 10, 2026 to be a reasonable amount of time to pay the Landlord the sheriff costs.

**It is ordered that:**

1. Order LTB-L-046389-25 is void and cannot be enforced by the Landlord if the condition set out in paragraph **2** of this order is met.
2. The Tenant shall pay \$335.00 to the LTB on or before July 10, 2026. This amount represents the non-refundable enforcement costs the Landlord incurred.
3. If the Tenant pays the amount set out in paragraph **2** on or before July 10, 2026, then an employee of the LTB will issue a notice acknowledging that the eviction order related to arrears is void.
4. If the Tenant does not pay the amount set out in paragraph **2** on or before July 10, 2026, then an employee of the LTB will issue a notice acknowledging that the eviction order related to arrears is not void and the eviction order becomes enforceable.
5. The amount of \$2,889.10 paid into the LTB by the Tenant shall be paid to the Landlord.

**June 26, 2026**  
**Date Issued**

---

Terri van Huisstede  
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.

Notes:

- The Tenant cannot make another motion under subsection 74(11) of the Act to set aside an eviction order during the period of the Tenant's tenancy agreement with the Landlord.
- When the LTB directs payment-out, the Canadian Imperial Bank of Commerce will issue a cheque to the appropriate party named in this order. The cheque will be in the amount directed plus any interest accrued up to the date of this order.