



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

File Number: LTB-L-037324-26-SA

In the matter of: 1-2, 324 CUMBERLAND AVE
HAMILTON ON L8M2A1

Between: Serge Gelly Landlord

And

Alphonse Amuzati Tenant

Serge Gelly (the 'Landlord') applied for an order to terminate the tenancy and evict Alphonse Amuzati (the 'Tenant') and for an order to have the Tenant pay compensation for damage they owe because the Tenant did not meet a condition specified in the order issued by the LTB on August 14, 2025 with respect to application LTB-L-076671-24.

The Landlord's application was resolved by order LTB-L-037324-26, issued on May 4, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-037324-26.

This motion was heard by videoconference on June 23, 2026. The Landlord and the Tenant attended the hearing.

Determinations:

1. The Tenant owed the Landlord \$901.24 for the cost of damage. The Tenant was late with a payment but has paid the Landlord the full amount that was owing.
2. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-037324-26.

It is ordered that:

1. The motion to set aside Order LTB-L-037324-26, issued on May 4, 2026, is granted.
2. Order LTB-L-037324-26, issued on May 4, 2026, is set aside and cannot be enforced.

June 30, 2026

Date Issued

Greg Joy

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.