



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

File Number: LTB-L-097207-25-SA

In the matter of: BASEMENT, 49 LAWRENCE CRES
BOWMANVILLE ON L1C3M7

Between: Visham Dindial
Kiran Dindial
Alana Ali

Landlords

And

Christine Picco

Tenant

Visham Dindial, Kiran Dindial and Alana Ali (the 'Landlords') applied for an order to terminate the tenancy and evict Christine Picco (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the order issued by the LTB on July 31, 2025 with respect to application LTB-L-037877-25.

The Landlords' application was resolved by order LTB-L-097207-25, issued on November 24, 2025. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-097207-25.

This motion was heard by videoconference on December 22, 2025. The Landlord Kiran Dindial, represented by Liam Walker, and the Tenant, who met with Duty Counsel, attended the hearing.

Determinations:

1. The Tenant owed the Landlord \$21,086.00 in arrears and costs to the end of July 2025. This amount represented more than 11 ½ months of unpaid rent in the first 1 ½ years of the tenancy. With the assistance of a Board Dispute Resolution Officer, the Tenant agreed to pay the Landlords \$1,757.00 on or before the 9th day of each month plus rent in full and on time.
2. The amount the Tenant owes is now \$20,172.00 with December rent due the day after this hearing. The lawful monthly rent is \$1,800.00 and the Tenant testified that she currently has \$1,200.00.
3. The Tenant was off work in early September for four weeks. The Tenant's income is from Ontario Works and part time hours at work.

4. After considering all of the circumstances, including the fact that the Landlords provided the Tenant with the opportunity to preserve the tenancy, despite the significant amount of arrears with the length of the tenancy at the time, that the Tenant has paid little toward the arrears, and the fact the Tenant does not have the funds to pay December rent, I find that it would be unfair to set aside order LTB-L-097207-25.

It is ordered that:

1. The motion to set aside Order LTB-L-097207-25, issued on November 24, 2025, is denied.
2. The stay of order LTB-L-097207-25 is lifted immediately.
3. Order LTB-L-097207-25 is unchanged.

January 8, 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.