



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

File Number: LTB-L-098228-25-SA

In the matter of: 3102, 10 SAN ROMANOWAY
TORONTO ON M3N2Y2

Between: RPMS PROPERTY MANAGEMENT SERVICES INC Landlord

And

MICHAEL BURTON Tenant

RPMS PROPERTY MANAGEMENT SERVICES INC (the 'Landlord') applied for an order to terminate the tenancy and evict MICHAEL BURTON (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 September 10, 2025 with respect to application LTB-L-060516-25-SA.

The Landlord's application was resolved by order LTB-L-098228-25, issued on November 26, 2025. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-098228-25.

This motion was heard by videoconference on January 2, 2026. The Landlord's representative Jason Paine, and the Tenant, attended the hearing.

Determinations:

1. The Tenant owed the Landlord \$15,320.99 in arrears and costs to the end of September 2025.
2. The amount the Tenant owes to the Landlord is now \$11,449.37. The Tenant testified that he will be paying January rent, which increased to \$1,506.62, effective January 1st, on the day of this hearing. The rent was not paid due to the fact the office was closed on New Years Day. With the payment the Tenant is close to being in compliance with the order.
3. The Tenant as lived in the unit for 13 years.
4. Order LTB-L-060516-25-SA was a consent to the Tenant's set aside motion. The Landlord also submits that there have been six arrears applications during this tenancy.

5. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-098228-25, and to provide the Tenant with a final opportunity to preserve this tenancy.

It is ordered that:

1. The motion to set aside Order LTB-L-098228-25, issued on November 26, 2025, is granted.
2. Order LTB-L-098228-25, issued on November 26, 2025, is set aside and cannot be enforced.
3. Order LTB-L-060516-25-SA is cancelled and replaced with the following:
4. The Tenant shall pay to the Landlord \$11,449.37 as follows:
 - The Tenant shall pay to the Landlord \$1,506.62 on January 2, 2026.
 - The Tenant shall pay to the Landlord \$1,000.00 on or before the 20th day of each consecutive month commencing January 2026 and continuing through September 2026.
 - The Tenant shall pay to the Landlord \$942.75 on or before October 20, 2026.
5. The Tenant shall also pay to the Landlord the lawful rent in full and on time for each consecutive month commencing February 2026 and continuing through October 2026, or until the arrears and costs are paid in full.
6. In the event the Tenant fails to make the above said payments in full and on time, the entire balance of the amount set out in this Order will become due and payable forthwith under this Order. The Landlord shall be entitled to apply to the Board, no later than 30 days after a breach of this Order, without notice to the Tenant, for an Order terminating the tenancy and evicting the Tenant and for any arrears that become due after the date of this order, pursuant to Section 78 of the Residential Tenancies Act, 2006.

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.

