



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

File Number: LTB-L-095322-25-SA

In the matter of: 202 FATH AVE
AYLMER ON N5H3C6

Between: Tara Foster Chris Muscutt Landlord

And

Katelynn Sinopoli Tenant

Tara Foster Chris Muscutt (the 'Landlord') applied for an order to terminate the tenancy and evict Katelynn Sinopoli (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 November 4, 2025 with respect to application LTB-L-071264-25.

The Landlord's application was resolved by order LTB-L-095322-25, issued on November 25, 2025. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-095322-25.

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

Determinations:

1. The Tenant owed the Landlord \$2,786.00 in arrears and costs to the end of October 2025. With the assistance of a Board Dispute Resolution Officer, the Tenant agreed to pay to rent on time as well as \$400.00 on or before the 20th day of each month, beginning in November 2025, and continuing until the entire amount was paid in full.
2. The amount the Tenant owes has been reduced by \$100.00. This is due to an issue with January rent payment where the Tenant paid half of the \$2,600.00 that was due.
3. The Tenant testified that through the Ontario Works Better Jobs program the funds will be available when she starts classes. The Tenant testified that she can pay the balance of \$1,300.00 by January 15th. This payment will bring the payments in line with what was agreed to by the Tenant.
4. The Landlord objected to a repayment plan as the amount the Tenant owes is the same as what the Tenant owed in July.

5. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-095322-25. The \$1,300.00 payment will make a significant impact on the amount the Tenant owes to preserve the tenancy.

It is ordered that:

1. The motion to set aside Order LTB-L-095322-25, issued on November 25, 2025, is granted.
2. Order LTB-L-095322-25, issued on November 25, 2025, is set aside and cannot be enforced.
3. Order LTB-L-071264-25 is cancelled and replaced with the following:
4. The Tenant shall pay to the Landlord \$2,686.00 as follows:
5. The Tenant shall pay to the Landlord \$2,686.00 as follows:
 - The Tenant shall pay to the Landlord \$1,300.00 on or before January 15, 2026.
 - The Tenant shall pay to the Landlord \$400.00 on or before February 20, 2026.
 - The Tenant shall pay to the Landlord \$400.00 on or before March 20, 2026.
 - The Tenant shall pay to the Landlord \$400.00 on or before April 20, 2026.
 - The Tenant shall pay to the Landlord \$186.00 on or before May 20, 2026.
6. 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 May 2026, or until the arrears and costs are paid in full.
7. 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 12, 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.