



**Order under Section 78(6)
Residential Tenancies Act, 2006**

File Number: LTB-L-000440-26

In the matter of: BASEMENT, 8 LAWRENCE CRES
BRAMPTON ON L6W2P3

Between: Colin Aurelio
Michael Aurelio
John Aurelio

Landlords

And

Marlyn Hosten

Tenant

Colin Aurelio, Michael Aurelio, John Aurelio (the 'Landlords') applied for an order to terminate the tenancy and evict Marlyn Hosten (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 Landlord and Tenant Board ('LTB') on October 10, 2025, with respect to application LTB-L-065000-25.

This application was decided without a hearing being held.

Determinations:

1. The order provides that the Landlords can apply to the LTB under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenants to terminate the tenancy and evict the Tenant if the Tenant does not meet certain condition(s) in the order. This application was filed within 30 days of the alleged breach.
2. The Landlords claim the Tenant breached the prior order LTB-L-065000-25 because the Tenant has not paid the lawful monthly rent in full since October 2025.
3. The prior order LTB-L-065000-25 requires the Tenant to pay \$7,086.00 to the Landlords for arrears up to October 29, 2025 and costs in accordance with a payment schedule commencing October 9, 2025. The prior order LTB-L-065000-25 also requires the Tenant to pay to the Landlords, new rent on time and in full as it comes due and owing for the period October 30, 2025, through to and including January 30, 2026, or until the arrears are paid in full, whichever date is earliest.
4. In the application, the Landlords claim the Tenant paid \$7,086.00 towards the arrears on October 29, 2025.

5. As the Landlords application claims the Tenant has paid \$7,086.00 on October 29, 2025 which represents the total amount of arrears and costs that the Tenant was required to pay to the Landlords, the Tenant has satisfied the requirements set out in LTB-L-065000-25 and is therefore not required **under the prior order LTB-L-065000-25** to continue to pay the monthly rent on time and in full. This is because LTB-L-065000-25 notes that the Tenant is required to pay the Landlords for new rent on time and in full for the period October 30, 2025, through to and including January 30, 2026, **or until the arrears are paid in full, whichever date is earliest [emphasis mine]**. Further, the LTB cannot order the monthly rent to be paid beyond the period for which there are arrears owing.
6. I note, there is recourse if the Tenant fails to pay their lawful monthly rent on time which is required under the Act. The Landlord may file a new N4 notice for any new rent arrears.
7. The LTB has no jurisdiction to consider this application as the Tenant has satisfied the requirements set out within LTB-L-065000-25.

It is ordered that:

1. The Landlord's application is dismissed.

January 7, 2026

Date Issued

Kimberly Parish

Vice Chair, 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.