



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

File Number: LTB-L-097150-25-SA

In the matter of: 301, 1076 BATHURST ST
Toronto ON M5R3G9

Between: Woodgreen Community Housing Inc Landlord

And

Robert Kennedy Tenant

Woodgreen Community Housing Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Robert Kennedy (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 mediated settlement signed by the parties on September 30, 2025 with respect to application LTB-L-038729-25.

The Landlord's application was resolved by order LTB-L-097150-25, 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-097150-25.

This motion was heard by videoconference on January 6, 2026. The Landlord's representative Melanie Baker, and the Tenant represented by Elysha Roeper and Olivia Dooley, attended the hearing. The Landlord's Manager of Supports, Francesca Cabaneros, also attended as witness for the Landlord.

Determinations:

1. The Tenant owed the Landlord \$ in arrears and costs to the end of September 2025. The Tenant agreed to pay the Landlord \$1,200.00 toward arrears on or before November 1, 2025, and then pay \$600.00 with rent beginning in December and continuing until the amount the Tenant owes was paid in full.
2. The Tenant has mental health issues and missed the November payment. The Tenant has since made the payment for December and January. The amount the Tenant owes has been reduced to \$9,169.24.
3. As a condition of relief from eviction the Tenant agrees to apply for a trustee on the day of this hearing and to retain a trustee to ensure the amounts the Tenant is ordered to pay will be paid to the Landlord. The Tenant also agrees that he will not stop the use of the trustee to continue with the payments.

4. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-097150-25.

It is ordered that:

1. The motion to set aside Order LTB-L-097150-25, issued on November 24, 2025, is granted.
2. Order LTB-L-097150-25, issued on November 24, 2025, is set aside and cannot be enforced.
3. Order LTB-L-038729-25 is cancelled and replaced with the following:
4. The Tenant shall pay to the Landlord \$9,169.24 as follows:
 - The Tenant shall pay to the Landlord the lawful monthly rent plus \$600.00 on or before the 1st day of each consecutive month commencing February 2026 and continuing through April 2027.
 - The Tenant shall pay to the Landlord the lawful monthly rent plus 4169.24 on or before May 1, 2027.
5. 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 9, 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.

