



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

File Number: LTB-L-101666-25-SA

In the matter of: 23, 451 WEST ST N
ORILLIA ON L3V5E9

Between: M Residential Real Estate LP Landlord

And

Martin Flynn Tenants
Lee-Ann Plunkett

M Residential Real Estate LP (the 'Landlord') applied for an order to terminate the tenancy and evict Martin Flynn and Lee-Ann Plunkett (the 'Tenants') and for an order to have the Tenants pay the rent they owe because the Tenants did not meet a condition specified in the mediated settlement signed by the parties on May 26, 2025 with respect to application LTB-L-015449-25.

The Landlord's application was resolved by order LTB-L-101666-25, issued on December 8, 2025. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-101666-25.

This motion was heard by videoconference on January 12, 2026. Only the Tenants attended the hearing. As of 1:30pm, the Landlord was not present or represented at the hearing.

Determinations:

1. Prior to the hearing, the Landlord's representative uploaded documentation to the Tribunals Ontario Portal (TOP) indicating that they would be consenting to the Tenant's set aside motion as the Tenant had paid all rent arrears owing to November 30, 2025.
2. As such, the Tenant's motion is granted and order LTB-L-101666-25 issued on December 8, 2025 will be set aside.

It is ordered that:

1. The motion to set aside Order LTB-L-101666-25, issued on December 8, 2025, is granted. The order is set aside and cannot be enforced.

January 14, 2026
Date Issued

Fabio Quattrociocchi
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.