



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

File Number: LTB-L-097199-25-SA

In the matter of: 09, 3 TORBOLTON DR
ETOBICOKE ON M9W3Y3

Between: Torbolton Apts Ltd Landlord

And

Lisa Sutherland Tenant

Torbolton Apts Ltd (the 'Landlord') applied for an order to terminate the tenancy and evict Lisa Sutherland (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 9, 2025 with respect to application LTB-L-057153-25-SA-AM.

The Landlord's application was resolved by order LTB-L-097199-25, 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-097199-25.

This motion was heard by videoconference on January 8, 2026. The Landlord's representative Stavros Lytis, and the Tenant, attended the hearing.

Determinations:

1. At a hearing held on June 18, 2025, the Tenant owed the Landlord \$7,686.00 in arrears and costs to the end of June. The Tenant agreed to pay the Landlord \$5,000.00 on or before June 30th, and \$400.00 monthly on or before the 9th day until the arrears were paid in full. The Tenant made none of the payments and when the Landlord filed the L4 application the amount the Tenant owed the Landlord had increased to \$9,186.00.
2. The Tenant filed a set aside motion which was heard on August 28, 2025. At the hearing the amount the Tenant owed the Landlord had increased to \$10,686.00 to the end of August.
3. The Board granted relief from eviction and the Tenant agreed to pay the Landlord \$5,000.00 on or before September 15th, and \$1,421.50 on or before the 15th of September, October, November and December. The amount the Tenant owed the Landlord should have been paid in full as of the date of this hearing. The \$5,000.00 payment was made by the community group (EPIC).

4. The last payment the Tenant has made to the Landlord was \$800.00 on October 29th. The amount the Tenant owes the Landlord is \$7,455.50 which is the same amount the Tenant owed the Landlord in June, despite the \$5,000.00 payment from EPIC. The lawful monthly rent is \$1,500.00. The Tenant also testified that she currently has just \$39.00.
5. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-097199-25 and provide another payment plan when the Tenant has demonstrated that the rent cannot be paid in full.

It is ordered that:

1. The motion to set aside Order LTB-L-097199-25, issued on November 24, 2025, is denied.
2. The stay of order LTB-L-097199-25 is lifted immediately.
3. Order LTB-L-097199-25 is unchanged.

January 16, 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.

