



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

Citation: 2739038 Ontario Inc v Johnstone, 2026 ONLTB 5286

Date: 2026-01-16

File Number: LTB-L-080920-25-SA_ LTB-T-090542-25_ LTB-T-090568-25

In the matter of: 4, 8 SCOTT ST
ST THOMAS ON N5P1K2

Between: 2739038 Ontario Inc Landlord

And

Linda Johnstone Tenant

2739038 Ontario Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Linda Johnstone (the 'Tenant') and for an order to have the Tenant pay compensation for damage they owe because the Tenant did not meet a condition specified in the order issued by the LTB on July 2, 2025 with respect to application LTB-L-013522-25.

The Landlord's application was resolved by order LTB-L-080920-25, issued on October 3, 2025. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-080920-25.

This motion was heard by videoconference on November 6, 2025, and January 13, 2026.

The following people attended the hearing:

- The Landlord's instructing client, Tony Karasmanis;
- The Landlord's legal representative, Kelly Draycott;
- The Tenant;
- The Tenant's daughter, Elizabeth Rowe;
- The Tenant's support person, Karolina Michalak; and
- The Tenant's legal representative, Syboney Hines.

The parties before the Board consented to the following order:

On consent it is ordered that:

1. The motion to set aside Order LTB-L-080920-25, issued on October 3, 2025, is granted.
2. Order LTB-L-080920-25, issued on October 3, 2025, is set aside and cannot be enforced.
3. The previous order issued on July 2, 2025, with respect to LTB-L-013522-25 is cancelled and replaced with the following order:
4. This order resolves the Tenant's motion and the Tenant's T2 and T6 applications bearing Board file numbers **LTB-T-090542-25** and **LTB-T-090568-25**. No hearings will be scheduled for the Tenant's applications and those files will be closed.
5. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before August 31, 2026.
6. If the unit is not vacated on or before August 31, 2026, then starting September 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
7. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord, on or after September 1, 2026.
8. The Tenant shall pay to the Landlord \$27.32 per day for compensation for the use of the unit starting September 1, 2026, to the date they move out of the unit.
9. The Landlord shall waive the monthly rent owing for the period of February 1, 2026, to July 31, 2026.
10. The Landlord shall apply the Tenant's last month's rent deposit plus any interest on the deposit to the rent owing for August 2026.
11. Upon receiving vacant possession of the rental unit from the Tenant and upon receiving the keys from the Tenant, the Landlord shall pay to the Tenant \$5,000.00.
12. This order resolves all issues of the tenancy.

January 16, 2026

Date Issued

Laura Hartsliet

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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on March 1, 2027, if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.