



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

File Number: LTB-L-103903-25-SA

In the matter of: 2106, 701 DON MILLS RD
EAST YORK ON M3C1R9

Between: Elm Place Inc. – 701 Don Mills Road Landlord

And

Cherise Clarke Tenants
Candice George Mockett

Elm Place Inc. – 701 Don Mills Road (the 'Landlord') applied for an order to terminate the tenancy and evict Cherise Clarke and Candice George Mockett (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 order issued by the LTB on October 28, 2025 with respect to application LTB-L-066273-25.

The Landlord's application was resolved by order LTB-L-103903-25, issued on December 11, 2025. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-103903-25.

This motion was heard by videoconference on January 14, 2026.

Only the Landlord's Legal Representative Sylwia McArthur attended the hearing.

Determinations:

1. The matter was scheduled for 9:00 a.m. I waited until 9:52 a.m, and I canvassed the virtual hearing room and the virtual waiting room to confirm whether the Tenants attended the hearing. The Tenants' names did not appear in any of these areas.
2. Since the Tenants did not appear at the hearing in support of their set aside motion, I find the motion has been abandoned.

It is ordered that:

1. The motion to set aside order LTB-L-103903-25, issued on December 11, 2025, is denied.
2. The stay of order LTB-L-103903-25 is lifted immediately.

3. Order LTB-L-103903-25 is unchanged.

January 20, 2026
Date Issued

John Cashmore
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.