



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

File Number: LTB-L-100856-25-SA

In the matter of: 2409, 701 DON MILLS RD
EAST YORK ON M3C1R9

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

And

Ahmad Shah Hussaini Tenants
Habib Shah Hussaini

Elm Place Inc. – 701 Don Mills Road (the 'Landlord') applied for an order to terminate the tenancy and evict Ahmad Shah Hussaini and Habib Shah Hussaini (the 'Tenants') 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 July 23, 2025 with respect to application LTB-L-029205-25.

The Landlord's application was resolved by order LTB-L-100856-25, issued on December 8, 2025. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-100856-25.

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

The Landlord's Legal Representative Sylvia McArthur and the Tenant Habib Shah Hussaini attended the hearing.

At the hearing, the parties before the Board consented to the following order. I was satisfied the parties understood the consequences of the joint position.

On consent of the parties, it is ordered that:

1. The motion to set aside order LTB-L-100856-25, issued on December 8, 2025, is granted.
2. Order LTB-L-100856-25, issued on December 8, 2025, is set aside and cannot be enforced.

January 21, 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.