



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

File Number: LTB-L-101841-25-SA

In the matter of: UPPER - 24937 KENNEDY RD
SUTTON WEST ON L0E1R0

Between: 5028761 ONTARIO INC. Landlord

And

MICHAEL AUSTIN Tenant

5028761 ONTARIO INC. (the 'Landlord') applied for an order to terminate the tenancy and evict MICHAEL AUSTIN (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 16, 2025 with respect to application LTB-L-050413-25.

The Landlord's application was resolved by order LTB-L-101841-25, 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-101841-25.

This motion was heard by videoconference on January 7, 2026.

The Landlord's legal representative Rong Wei Yu and the Tenant attended the hearing. At the hearing the parties reached a consent. I was satisfied it was an informed consent.

It is ordered on consent that:

1. The motion to set aside Order LTB-L-101841-25, issued on December 8, 2025, is granted.
2. Order LTB-L-101841-25, issued on December 8, 2025, is set aside and cannot be enforced.
3. The previous order issued on September 16, 2025 with respect to LTB-L-050413-25 is amended as follows:
4. The address for the rental unit is amended to add "Upper" to the residential address.
5. The Tenant shall pay to the Landlord \$10,186.00 for arrears of rent up to January 31, 2026 and costs.

6. The Tenant shall pay to the Landlord the amount set out in paragraph 5 in accordance with the following schedule:
 - \$7,250.00 on or before January 15, 2026;
 - \$2,000.00 on or before February 15, 2026; and
 - \$936.00 on or before March 15, 2026.
7. The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period February to March 2026, or until the arrears are paid in full, whichever date is earliest.
8. If the Tenant fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 5 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after January 31, 2026.

January 19, 2026
Date Issued

Brett Lockwood
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.