



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

File Number: LTB-L-108441-25-SA

In the matter of: MAIN FLOOR, 153 BUCHANAN DR
ALLISTON ON L9R0A4

Between: SUKHJINDER SAHI Landlord

And

NICOLE STELLA ST. CROIX Tenant

SUKHJINDER SAHI (the 'Landlord') applied for an order to terminate the tenancy and evict NICOLE STELLA ST. CROIX (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 mediated settlement signed by the parties on June 9, 2025 with respect to application LTB-L-019412-25.

The Landlord's application was resolved by order LTB-L-108441-25, issued on December 29, 2025. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-108441-25.

This motion was heard by videoconference on January 22, 2026. The Landlord and the Tenant attended the hearing.

Determinations:

1. The Tenant owed the Landlord \$10,486.00 in arrears and costs to the end of June 2025. With the assistance of a Board Dispute Resolution Officer, the Landlord consented to a repayment plan where the Tenant agreed to pay rent with monthly payments toward the arrears of rent. The lawful monthly rent is \$2,500.00.
2. Compliance with the order would have reduced the amount the Tenant owes the Landlord to \$986.00 as of the date of this hearing. As of the date of this hearing, the Tenant owes the Landlord \$7,986.00.
3. The Tenant's set aside motion claims that her former spouse has not paid child support and that she has lost her Child Tax Benefit due to her former spouse claiming the their children reside with him full-time. There is notice from CRA showing the Tenant is no longer the child's primary caregiver. There is no other evidence to support the Tenant's submission.

4. The Tenant also claims that she could not receive support because the Landlord would not give her an N4. The Tenant has an order from the Board based on an N4 notice to terminate the tenancy and an order to pay the arrears.
5. The Tenant also claims in her motion that she would resume the repayment plan beginning January 20, 2026 which requires a payment of \$1,000.00. The Tenant testified that she currently has \$800.00.
6. The Landlord testified that in the 1 ½ years of this tenancy the Tenant continually makes late or misses payments.
7. After considering all of the circumstances, including the fact the Tenant does not have the funds to comply with her proposal in the set aside motion and does not have the funds to pay rent in one week which would be required to comply with a new repayment plan, I find that it would be unfair to set aside order LTB-L-108441-25.

It is ordered that:

1. The motion to set aside Order LTB-L-108441-25, issued on December 29, 2025, is denied.
2. The stay of order LTB-L-108441-25 is lifted immediately.
3. Order LTB-L-108441-25 is unchanged.

January 26, 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.

