



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

File Number: LTB-L-094030-25-SA

In the matter of: 302, 25 SELBY ST
TORONTO ON M4Y0E6

Between: TLR Property Management LP, As agent on Landlord
behalf of 592 Sherbourne LP

And

Claire Newton Tenant

TLR Property Management LP, As agent on behalf of 592 Sherbourne LP (the 'Landlord') applied for an order to terminate the tenancy and evict Claire Newton (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 September 26, 2025 with respect to application LTB-L-032740-25.

The Landlord's application was resolved by order LTB-L-094030-25, issued on November 17, 2025. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-094030-25.

This motion was heard by videoconference on January 22, 2026. The Landlord's representative Faith McGregor, and the Tenant, attended the hearing.

Determinations:

1. The Tenant consented to an order that required the rent to be paid in full and on time from October 2025 through September 2026.
2. The Tenant did not and has not pay October rent. In addition, January rent was paid on January 3rd.
3. The Tenant testified that she thought October rent had been paid did not realize that October rent was not paid until January. As of the date of this hearing, the Tenant has not yet paid October rent.
4. The Tenant was questioned about how she wouldn't know that rent had not come out of her bank account. The Tenant testified that she doesn't keep check to see if the rent has coe out of her bank account.

5. Despite not paying October rent, the Tenant was provided an opportunity to pay the outstanding rent as well as the \$318.00 cost the Landlord incurred to have the eviction order enforced. The parties agreed that the Tenant would pay the rent plus the enforcement fee, in guaranteed funds, no later than January 23rd.
6. The lawful monthly rent is \$3,080.07. The total amount the Tenant was to pay is \$3,401.07.
7. The Landlord provided a post hearing submission that the Tenant made a payment that was not in guaranteed funds in the amount of \$3,042.31, which is less than the lawful monthly rent and does not include the enforcement costs.
8. I find the Tenant is in breach of the conditions set out in order LTB-L-032740-25 and has not complied with the condition provided at the hearing to grant relief from eviction.
9. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-094030-25.
10. hearing to support their motion, I find that this motion has been abandoned.

It is ordered that:

1. The motion to set aside Order LTB-L-094030-25, issued on November 17, 2025, is denied.
2. The stay of order LTB-L-094030-25 is lifted immediately.
3. Order LTB-L-094030-25 is unchanged.

January 30, 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.

