



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

File Number: LTB-L-103653-25-SA

In the matter of: C105, 170 OLD CARRIAGE DR
KITCHENER ON N2P1Z7

Between: Equiton Residential Income fund LP Landlord

And

Megan Tordoff
Lucas Rosenland Tenant

Equiton Residential Income fund LP (the 'Landlord') applied for an order to terminate the tenancy and evict Megan Tordoff and Lucas Rosenland (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 November 14, 2025 with respect to application LTB-L-071290-25.

The Landlord's application was resolved by order LTB-L-103653-25, issued on January 6, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-103653-25.

This motion was heard by videoconference on January 26, 2026.

Only the Tenant, Lucas Rosenland, attended the hearing.

As of 1:30 p.m., the Landlord was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Tenant's evidence.

Determinations:

1. At the hearing, the Tenant acknowledged that he failed to meet a condition specified in the order issued by the LTB on November 14, 2025 with respect to application LTB-L-071290-25.
2. The Tenant explained that his \$200.00 payment for the arrears installment due on or before November 30, 2025 unexpectedly bounced due to an unexpected payment for car insurance.

3. This means I must determine, having regard to all the circumstances, whether it would not be unfair to set aside the eviction order pursuant to section 78(11)(b) of the *Residential Tenancies Act, 2006* (the 'Act').
4. The Tenant testified that he has since paid the Landlord all the arrears outstanding in the order LTB-L-071290-25 and has paid the monthly rent for January 2026 and December 2025 in full. The Tenant testified that he is in good standing and owes the Landlord no monies as of the hearing date.
5. Based on the Tenant's uncontested evidence, I find that it would not be unfair under the present circumstances to set aside order LTB-L-103653-25 and grant the Tenant an opportunity to continue the tenancy. The Tenant is no longer in arrears and the Landlord was not present to contest the Tenant's motion.

It is ordered that:

1. The motion to set aside Order LTB-L-103653-25, issued on January 6, 2026, is granted.
2. Order LTB-L-103653-25, issued on January 6, 2026, is set aside and cannot be enforced.

February 3, 2026

Date Issued

Vicky Liu

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.