



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

File Number: LTB-L-000111-26-SA

In the matter of: 322, 75 HIGH ST
LONDON ON N6C4J8

Between: M & R Suites Inc. Landlord

And

Sarah Everingham Tenants
Philip Twigg

M & R Suites Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Sarah Everingham and Philip Twigg (the 'Tenants') s because the Tenants did not meet a condition specified in the order issued by the LTB on November 17, 2025 with respect to application LTB-L-073211-25.

The Landlord's application was resolved by order LTB-L-000111-26, issued on January 9, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-000111-26.

This motion was heard by videoconference on January 27, 2026. The Landlord's representative Daniel Abraham, and the Tenant Sarah Everingham, attended the hearing.

Determinations:

1. The Tenants were ordered to pay rent in full and on time from December 2025 for twelve consecutive months. In January, the rent was paid late due to a change in the limit for e-transfers the Tenants were not aware of as well as unexpected medical expenses. Mr Twigg has stage four cirrhosis and needed to attend the hospital. This caused unexpected expenses. Mr. Twigg is now receiving ODSP and the Tenants will be able to comply with conditions going forward.
2. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-000111-26 and provide the Tenants with one last opportunity to comply with the conditions set out in the order.

It is ordered that:

1. The motion to set aside Order LTB-L-000111-26, issued on January 9, 2026, is granted.
2. Order LTB-L-000111-26, issued on January 9, 2026, is set aside and cannot be enforced.

February 2, 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.