



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

File Number: LTB-L-100052-25-SA

In the matter of: 1008, 53 SPEEDVALE AVE W
GUELPH ON N1H1J6

Between: Greenwin Corp. Landlord

And

Natalya Fumo Tenants
Eric Smith

Greenwin Corp. (the 'Landlord') applied for an order to terminate the tenancy and evict Natalya Fumo and Eric Smith (the 'Tenants') and for an order to have the Tenants pay the rent they owe because the Tenants did not meet a condition specified in the order issued by the LTB on October 14, 2025 with respect to application LTB-L-068681-25-SA.

The Landlord's application was resolved by order LTB-L-100052-25, issued on January 8, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-100052-25.

This motion was heard by videoconference on January 27, 2026. The Tenant Natalya Fumo attended the hearing.

As of 10:00am, 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.

Determinations:

1. The Landlord filed the L4 application because December rent was not paid in full. The Tenants are prepared to work with the Landlord to pay the remaining amount they owe.
2. The Landlord did not attend the hearing to challenge the Tenants' motion to set aside.
3. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-100052-25.

It is ordered that:

1. The motion to set aside Order LTB-L-100052-25, issued on January 8, 2026, is granted.
2. Order LTB-L-100052-25, issued on January 8, 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.