



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

File Number: LTB-L-000207-26-SA

In the matter of: 306, 839 TALWOOD DR
PETERBOROUGH ON K9J7M6

Between: Macpherson Realty Landlord

And

KRYSTINA McMillan Tenant

Macpherson Realty (the 'Landlord') applied for an order to terminate the tenancy and evict KRYSTINA McMillan (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 December 19, 2025 with respect to application LTB-L-082460-25.

The Landlord's application was resolved by order LTB-L-000207-26, issued on January 7, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-000207-26.

This motion was heard by videoconference on January 29, 2026. The Tenant 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 Tenant testified that she is back on track with the requirements of order LTB-L-082460-25.
2. the Landlord did not attend the hearing to challenge the Tenant's set aside motion.
3. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-000207-26.

It is ordered that:

1. The motion to set aside Order LTB-L-000207-26, issued on January 7, 2026, is granted.

2. Order LTB-L-000207-26, issued on January 7, 2026, is set aside and cannot be enforced.

February 5, 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.