



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

File Number: LTB-L-102722-25-SA

In the matter of: 43, 392 WOODSWORTH RD
NORTH YORK ON M2L2T9

Between: Windfield Estates Corporation Landlord

And

Ivan Milivojevic Tenants
Maja Popovic

Windfield Estates Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Ivan Milivojevic and Maja Popovic (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 April 30, 2025 with respect to application LTB-L-021664-24.

The Landlord's application was resolved by order LTB-L-102722-25, 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-102722-25.

This motion was heard by videoconference on February 3, 2026. The Landlord's representative Matt Anderson, and the Tenant Ivan Milivojevic, attended the hearing.

Determinations:

1. This is the Tenants' second set aside motion. The amount the Tenants owe the Landlord has increased to \$11,391.20. The Tenant testified that they paid \$5,000.00 the day before this hearing. The Tenant provided the Landlord's representative with a screen shot of the bank statement. The Tenant also testified that they will pay an additional \$5,000.00 on or before February 17th.
2. The Tenant had his wages garnished and this garnishment will end shortly. The Tenant is back to full time employment.
3. This order reflects the conditions for relief from eviction that were provided to the parties at the hearing. This is an eight year tenancy and there have not been rent payment issues in the first seven years.

4. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-102722-25, and provide the Tenants with one last opportunity to preserve this tenancy.

It is ordered that:

1. The motion to set aside Order LTB-L-102722-25, issued on January 9, 2026, is granted.
2. Order LTB-L-102722-25, issued on January 9, 2026, is set aside and cannot be enforced.
3. Order LTB-L-021664-24 is cancelled and replaced with the following:
4. The Tenants shall pay to the Landlord \$11,391.20 plus rent as follows:
5. The Tenants shall pay to the Landlord \$5,000.00 (the amount the Tenant testified was paid on February 2, 2026) on or before February 6, 2026.
6. The Tenants shall pay to the Landlord \$5,000.00 on or before February 17, 2026.
7. The Tenants shall pay to the Landlord \$2,932.04 (March rent) on or before March 20, 2026.
8. The Tenants shall pay to the Landlord \$4,323.24 (April rent plus the balance of arrears and costs) on or before April 1, 2026.
9. In the event the Tenants fail to make the above said payments in full and on time, the entire balance of the amount set out in this Order will become due and payable forthwith under this Order. The Landlord shall be entitled to apply to the Board, no later than 30 days after a breach of this Order, without notice to the Tenants, for an Order terminating the tenancy and evicting the Tenants and for any arrears that become due after the date of this order, pursuant to Section 78 of the Residential Tenancies Act, 2006.

February 9, 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.

