



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

File Number: LTB-L-101435-25-SA

In the matter of: 607, 675 KENNEDY RD
SCARBOROUGH ON M1K2B9

Between: Toronto Community Housing Corporation Landlord

And

Whitney Gardiner Tenant

Toronto Community Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Whitney Gardiner (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 order issued by the LTB on October 31, 2023 with respect to application LTB-L-101435-25.

The Landlord's application was resolved by order LTB-L-101435-25, issued on December 10, 2025. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-101435-25.

This motion was heard by videoconference on February 2, 2026.

The Landlord's Legal Representative, N. Johnson, the Tenant's Legal Representative, S. Habib, and the Tenant attended the hearing.

The parties before the LTB consented to the following order.

On consent, it is ordered that:

1. The motion to set aside Order LTB-L-101435-25, issued on December 10, 2025, is granted.
2. Order LTB-L-101435-25, issued on December 10, 2025, is set aside and cannot be enforced.
3. The Tenant shall pay to the Landlord \$21,291.70 for arrears of rent up to February 28, 2026 and costs.
4. The Tenant shall pay to the Landlord the amount set out in paragraph 3 in accordance with the following schedule:

- \$200.00 on or before the **20th day** of each month for the period of February 1, 2026 to November 30, 2034; and
 - \$91.70 on or before **December 20, 2034**.
5. The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing on the **1st day** of each month for the period of March 1, 2026 to December 31, 2034 or until the arrears are paid in full, whichever date is earliest.
6. If the Tenant fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 3 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after February 28, 2026.
3. The parties acknowledge that the Tenant did make a payment today of \$1,292.00 for February 2026 rent which has not cleared. Once cleared this payment will be applied.

February 4, 2026
Date Issued

Lisa Del Vecchio
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.