



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

File Number: LTB-L-001246-26-SA

In the matter of: 103, 327 DUDLEY AVE
NORTH BAY ON P1B7A4

Between: JAMES MOORE Landlord

And

KIRSTIN COONEY Tenant

JAMES MOORE (the 'Landlord') applied for an order to terminate the tenancy and evict KIRSTIN COONEY (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 December 9, 2025 with respect to application LTB-L-079753-25.

The Landlord's application was resolved by order LTB-L-001246-26, issued on January 12, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-001246-26.

This motion was heard by videoconference on February 3, 2026. The Landlord, the Landlord's representative Amanda Hards, and the Tenant, attended the hearing.

Determinations:

1. The Tenant owed the Landlord \$11,036.00 in arrears and costs to the end of December 2025. With the assistance of a Board Dispute Resolution Officer, the Tenant agreed to pay rent on time, \$2,450.00 toward arrears on December 3rd, and \$800.00 on or before the 18th day of each month from December until the entire amount owing was paid in full.
2. The Tenant did not make the arrears payment on January 18th and has not paid February rent. The Tenant testified that she has the money and will pay by e-transfer. The Landlord agreed that if the Tenant paid \$3,250.00 he would consent to the Tenant's motion to set aside.
3. The Tenant submitted proof that the full amount was sent to the Landlord on February 3, 2026. As a result of the payment, the Tenant owes the Landlord \$6,986.00 in arrears and costs to the end of February 2026.

4. The Tenant requested a reduction in the monthly arrears payments from \$800.00 to \$500.00. The Landlord consented to the request.
5. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-001246-26.

It is ordered that:

1. The motion to set aside Order LTB-L-001246-26, issued on January 12, 2026, is granted.
2. Order LTB-L-001246-26, issued on January 12, 2026, is set aside and cannot be enforced.
3. Order LTB-L-079753-25 is cancelled and replaced with the following:
4. The Tenant shall pay to the Landlord \$6,986.00 as follows:
 - The Tenant shall pay to the Landlord \$500.00 on or before the 18th day of each consecutive month commencing February 2026 and continuing through February 2027.
 - The Tenant shall pay to the Landlord \$486.00 on or before March 18, 2027.
5. The Tenant shall also pay to the Landlord the lawful rent in full and on time for each consecutive month commencing March 2026 and continuing through March 2027, or until the arrears and costs are paid in full.
6. In the event the Tenant fails 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 Tenant, for an Order terminating the tenancy and evicting the Tenant and for any arrears that become due after the date of this order, pursuant to Section 78 of the Residential Tenancies Act, 2006.

February 11, 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.

