



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

File Number: LTB-L-002817-26-SA

In the matter of: 102, 2278 WESTON ROAD
NORTH YORK ON M9N1Y9

Between: AMSTAR POOL 1 LP Landlord

And

GEORGE A HORNE Tenant

AMSTAR POOL 1 LP (the 'Landlord') applied for an order to terminate the tenancy and evict GEORGE A HORNE (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 January 7, 2026 with respect to application LTB-L-044286-25.

The Landlord's application was resolved by order LTB-L-002817-26, issued on January 19, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-002817-26.

This motion was heard by videoconference on February 12, 2026. The Tenant's representative Oswald Moore attended the hearing.

As of 1:45pm, 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 has caught up with the required payments and has set up a pre-authorized debit payment for the Tenant to pay the rent going forward
2. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-002817-26.

It is ordered that:

1. The motion to set aside Order LTB-L-002817-26, issued on January 19, 2026, is granted.
2. Order LTB-L-002817-26, issued on January 19, 2026, is set aside and cannot be enforced.

February 19, 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.