



**Order under Section 78(6)
Residential Tenancies Act, 2006**

File Number: LTB-L-012976-26

In the matter of: 519 LANARK CRES
THUNDER BAY ON P7A7V7

Between: NPTBDC - INDIGENOUS HOUSING Landlord

And

MIRANDA PEUNISH Tenant

On February 11, 2026, NPTBDC - INDIGENOUS HOUSING (the 'Landlord') applied for an order to terminate the tenancy and evict MIRANDA PEUNISH (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 Landlord and Tenant Board ('LTB') on August 19, 2025 with respect to application LTB-L-052534-25-SA which was amended on February 17, 2026 and order LTB-L-052534-25-SA-AM issued.

This application was decided without a hearing being held.

Determinations:

1. The order provides that the Landlord can apply to the LTB under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenant to terminate the tenancy and evict the Tenant if the Tenant does not meet certain condition(s) in the order. Pursuant to subsection 78(5) of the Act, an application made under section 78 must be filed no later than 30 days after the breach of the original order.
2. The Landlord claims in the Declaration in support of the L4 application that the Tenant breached the prior order LTB-L-052534-25-SA as follows: "There is still an outstanding balance remaining that was never paid off".
3. The prior order LTB-L-052534-25-SA issued on August 19, 2025 requires the Tenant to make payments towards the outstanding arrears on the due dates of August 20, 2025, September 20, 2025, October 20, 2025 and November 20, 2025. In the prior order LTB-L-052534-25-SA, the Tenant was also required to pay to the Landlord new rent on time and in full as it comes due and owing for the period from September 1, 2025 to and including November 1, 2026, or until the arrears are paid in full, whichever date is earliest.
4. The prior order was clerically amended on February 17, 2026 and amended order LTB-L-052534-25-SA-AM was issued. The order was clerically amended to reflect that the Tenant pay the ongoing monthly rent up to November 1, 2025, or until the arrears are paid in full, whichever date is earliest. The LTB does not have the jurisdiction to order the ongoing

monthly rent beyond the period for which payment of the arrears is ordered and payment of the arrears was not ordered beyond November 20, 2025.

5. The Landlord filed the L4 application on February 11, 2026 which is more than 30 days after the missed payments were due in the order. The last arrears payment was ordered to be paid by November 20, 2025 and the ongoing monthly rent was ordered to be paid by November 1, 2025. Therefore, the Landlord's claim that the Tenant breached the order is out of time.
6. The Board has no jurisdiction to consider this application, which was filed beyond 30 days after the alleged breaches.

It is ordered that:

1. The Landlord's application is dismissed.

February 18, 2026

Date Issued

Kimberly Parish

Vice Chair, 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.