



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

File Number: LTB-L-098288-25-SA

In the matter of: 401, 625 EVANS AVE
ETOBICOKE ON M8W2W5

Between: CAPREIT LIMITED PARTNERSHIP Landlord

And

LORNE MOSCOVITCH Tenant
CATHERINE COX

CAPREIT LIMITED PARTNERSHIP (the 'Landlord') applied for an order to terminate the tenancy and evict LORNE MOSCOVITCH and CATHERINE COX (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 February 18, 2025 with respect to application LTB-L-081061-24.

The Landlord's application was resolved by order LTB-L-098288-25, issued on November 26, 2025. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-098288-25.

This motion was heard by videoconference on January 5, 2026.

The Landlord's legal representative, Geoff Paine, and the Tenant attended the hearing. Parties requested the order below on consent.

On consent of the parties, it is ordered that:

1. The motion to set aside Order LTB-L-098288-25, issued on November 26, 2025, is granted.
2. Order LTB-L-098288-25, issued on November 26, 2025, is set aside and cannot be enforced.
3. The previous order issued on February 18, 2025 with respect to LTB-L-081061-24 is amended as follows:
4. The Tenant shall pay to the Landlord \$13,947.58 for arrears of rent up to January 31, 2026, and costs.

5. The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:
 - a. \$2,039.04 on or before January 9, 2026,
 - b. \$5,000.00 on or before February 22, 2026,
 - c. \$1,000.00 a month for 6 months starting January 20, 2026, and ending June 20, 2026,
 - d. \$908.54 on or before July 20, 2026.
6. The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period between February 1, 2026, to July 1, 2026, or until the arrears are paid in full, whichever date is earliest.
7. 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 4 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 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 January 31, 2026.

February 26, 2026
Date Issued

Vladimir Nikitin
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.