



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

File Number: LTB-L-003810-26-SA

In the matter of: 3, 335 MARY ST N
OSHAWA ON L1G5C7

Between: Davenath Diptee Landlord

And

Michelle Finn Marie Tenant

Davenath Diptee (the 'Landlord') applied for an order to terminate the tenancy and evict Michelle Finn Marie (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 mediated settlement signed by the parties on December 10, 2025 with respect to application LTB-L-085346-25.

The Landlord's application was resolved by order LTB-L-003810-26, 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-003810-26.

This motion was heard by videoconference on February 24, 2026. The Landlord represented by Jimmy Gangadin, and the Tenant, attended the hearing.

Determinations:

1. At a hearing on December 1, 2025, the Landlord represented by Mr. Gangadin, and the Tenant assisted by Dean Pauk Chambers, from the John Howard Society, attended the hearing. The parties agreed that the Tenant owed the Landlord \$10,800.00 in arrears and costs to the end of December 2025.
2. The Tenant was to pay to \$5,400.00 on or before December 15, 2025 and the Landlord would accept any payments received from ODSP. The Landlord was to provide direct deposit information to ODSP, on or before December 2, 2025.
3. The Landlord and his representative made many attempts to work with ODSP but did not receive the necessary information to arrange for direct deposit.
4. In addition, the Tenant was to pay the Landlord \$931.00, on or before the 15th day of each month from January to June 2026.

5. The Landlord and Mr. Gangadin have made several attempts to contact the Tenant, who has changed her phone number, and has not answered the door when they attended to the rental unit.
6. The last payment the Tenant made to the Landlord was in November 2025 and no payments have been made since order LTB-L-085346-25 was issued on December 10, 2025. The amount the Tenant owes has increased from \$10,800.00 to \$14,500.00.
7. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-003810-26.

It is ordered that:

1. The motion to set aside Order LTB-L-003810-26, issued on January 19, 2026, is denied.
2. The stay of order LTB-L-003810-26 is lifted immediately.
3. Order LTB-L-003810-26 is unchanged.

February 27, 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.

