



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

File Number: LTB-L-005929-26-SA

In the matter of: 606, 3121 EGLINTON AVE E
SCARBOROUGH ON M1J2G5

Between: DARBY HALL REALTY LTD. Landlord

And

ANDRE MARRETT Tenant

DARBY HALL REALTY LTD. (the 'Landlord') applied for an order to terminate the tenancy and evict ANDRE MARRETT (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on August 28, 2024, with respect to application LTB-L-048896-24-SA.

The Landlord's application was resolved by order LTB-L-005929-26, issued on January 26, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-005929-26.

This motion was heard by videoconference on March 2, 2026.

Only the Landlord's Legal Representative Giuseppe Marini attended the hearing.

As of 9:30 am, the Tenant 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. The Tenant did attend later at 10:30 am and was advised that the matter had already been called and the Landlord's Legal Representative had already left the videoconference.

Determinations:

1. Since the Tenant did not appear at the hearing to support their motion, I find that this motion has been abandoned.
2. The stay of order LTB-L-005929-26 is lifted on immediately.

It is ordered that:

1. The motion to set aside Order LTB-L-005929-26, issued on January 26, 2026, is denied.

2. The stay of order LTB-L-005929-26 is lifted immediately.

March 6, 2026
Date Issued

Jagger Benham
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.