



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

File Number: LTB-L-004512-26-SA

In the matter of: 205, 761 SECOND ST
LONDON ON N5V2B8

Between: CAPREIT Limited Partnership

Landlord

And

Heidi Wallace

Tenant

CAPREIT Limited Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Heidi Wallace (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 September 17, 2025 with respect to application LTB-L-050576-25.

The Landlord's application was resolved by order LTB-L-004512-26, 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-004512-26.

This motion was heard by videoconference on March 3, 2026. The Landlord's representative Gabriela Quaresma, and the Tenant, attended the hearing.

Determinations:

1. With the assistance of a Board Dispute Resolution Officer, the parties agreed the Tenant owed the Landlord \$7,811.06 in arrears and costs to the end of September 2025.
2. The Tenant was ordered to pay to \$1,287.51 on or before September 20, 2025 and to pay the Landlord \$400.00 on or before the 20th of each consecutive month from October until the balance was paid in full.
3. When the Landlord filed the L4 application on January 16th the amount the Tenant owed had increased to \$10,342.95.
4. The last payment the Tenant made to the Landlord was \$500.00 of the \$1,422.19 rent made on Decembre 2, 2025. The amount the Tenant owes the Landlord has increased from \$7,811.06 to \$13,187.32.

5. The Tenant testified that her hours at work had been reduced. She is looking for another part-time job and will be filing for an income tax return. The Tenant did not know her income from 2025.
6. After considering all of the circumstances, including the fact the Tenant has not paid rent since a partial payment in December, I find the Tenant cannot afford to continue to pay the lawful monthly rent and make reasonable payments toward the arrears. I find that it would be unfair to set aside order LTB-L-004512-26.

It is ordered that:

1. The motion to set aside Order LTB-L-004512-26, issued on January 26, 2026, is denied.
2. The stay of order LTB-L-004512-26 is lifted immediately.
3. Order LTB-L-004512-26 is unchanged.

March 9, 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.

