



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

File Number: LTB-L-008915-26-SA

In the matter of: 219, 4001 STEELES AVE W
NORTH YORK ON M3N2T8

Between: N.H.D. Developments Limited

Landlord

And

Jose Argenis Rivera Martinez
Arlenys Rachel Rivera Martinez

Tenants

N.H.D. Developments Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Jose Argenis Rivera Martinez and Arlenys Rachel Rivera Martinez (the 'Tenants') and for an order to have the Tenants pay compensation for damage they owe because the Tenants did not meet a condition specified in the mediated settlement signed by the parties on March 3, 2025 with respect to application LTB-L-005911-25.

The Landlord's application was resolved by order LTB-L-008915-26, issued on February 3, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-008915-26.

This motion was heard by videoconference on March 3, 2026. The Landlord's representative Nicole Ruby, and the Tenants represented by Ricardo Colonnese, attended the hearing.

The Landlord consents to the Tenants' motion to set aside. At the hearing the parties consented to the following order.

On consent it is ordered that:

1. The motion to set aside Order LTB-L-008915-26, issued on February 3, 2026, is granted.
2. Order LTB-L-008915-26, issued on February 3, 2026, is set aside and cannot be enforced.
3. Order LTB-L-005911-25 is cancelled and replaced with the following:
4. The Tenants shall pay to the Landlord the lawful rent in full and on time for each consecutive month commencing April 2026 and continuing through October 2026.

5. In the event the Tenants fail to make the above said payments in full and on time, the entire balance of the amount set out in this Order will become due and payable forthwith under this Order. The Landlord shall be entitled to apply to the Board, no later than 30 days after a breach of this Order, without notice to the Tenants, for an Order terminating the tenancy and evicting the Tenants, pursuant to Section 78 of the Residential Tenancies Act, 2006.

March 4, 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.