



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

File Number: LTB-L-007689-26-SA

In the matter of: 1508, 2775 JANE ST
NORTH YORK ON M3N2H7

Between: 2775 Jane Street Limited Landlord

And

Benedicta Kuba Tenant

2775 Jane Street Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Benedicta Kuba (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 April 15, 2025 with respect to application LTB-L-101694-24.

The Landlord's application was resolved by order LTB-L-007689-26, issued on February 2, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-007689-26.

This motion was heard by videoconference on March 10, 2026. The Landlord's representative Sabrina Marchionne attended the hearing.

As of 9:45am, 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.

After the Landlord consented to an order granting conditional relief from eviction, the Tenant signed into the hearing and was informed of the decision.

The Tenant owed the Landlord \$2,067.02 in arrears and costs to the end of March 2026. The Landlord consents to the Tenant's motion to set aside.

It is ordered that:

1. The motion to set aside Order LTB-L-007689-26, issued on February 2, 2026, is granted.
2. Order LTB-L-007689-26, issued on February 2, 2026, is set aside and cannot be enforced.
3. Order LTB-L-101694-24 is cancelled and replaced with the following:

4. The Tenant shall pay to the Landlord \$2,067.02 as follows:
 - The Tenant shall pay to the Landlord \$689.01 on or before April 15, 2026.
 - The Tenant shall pay to the Landlord \$689.01 on or before May 15, 2026.
 - The Tenant shall pay to the Landlord \$689.00 on or before June 15, 2026.
5. The Tenant shall pay to the Landlord the lawful rent in full and on time for each consecutive month commencing April 2026 and continuing through June 2026, or until the arrears and costs are paid in full.
6. In the event the Tenant fails 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 Tenant, for an Order terminating the tenancy and evicting the Tenant and for any arrears that become due after the date of this order, pursuant to Section 78 of the Residential Tenancies Act, 2006.

March 13, 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.

