



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

File Number: LTB-L-007685-26-SA

In the matter of: B302, 1268 KING ST W
TORONTO ON M6K1G5

Between: Sally Bhagwandin Landlord

And

Andrew Kononowicz Tenant

Sally Bhagwandin (the 'Landlord') applied for an order to terminate the tenancy and evict Andrew Kononowicz (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 November 27, 2025 with respect to application LTB-L-074928-25.

The Landlord's application was resolved by order LTB-L-007685-26, 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-007685-26.

This motion was heard by videoconference on March 11, 2026.

The Landlord's Agents Alex Duenas-Botelho and Craig Harris, and the Tenant Andrew Kononowicz attended the hearing.

Determinations:

1. It was undisputed that the Tenant failed to meet a condition specified in the order issued by the LTB on November 27, 2025, with respect to application LTB-L-074928-25. The Tenant failed to make the rent and arrears payment due on January 1, 2026.
2. The Tenant testified that he relies on ODSP for income. However, due to circumstances outside of his control, his ODSP payments were discontinued. He has taken the required steps to reinstate the payments; however, it is unclear when they will be confirmed. The Tenant has sold certain belongings and is doing part-time work to cover his basic expenses and has paid \$1,707.56 to the Landlord since the previous order was issued.
3. The Landlord's Agent testified that the arrears to March 31, 2026, are \$1,509.60. The Landlord relies on the rent to pay for their expenses at the property. While the Landlord is affected by the accumulated arrears, they are not suffering financial hardship.

4. I do not find it appropriate for the tenancy to be terminated due to a disruption in ODSP payments which occurred due to circumstances outside the Tenant's control. I am satisfied that the Tenant is doing everything in his power to preserve this tenancy and has made payments to the Landlord in good faith. Considering the amount outstanding, I find there to be little prejudice to the Landlord in continuing this tenancy despite the Tenant's lack of a consistent income at this time. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-007685-26.
5. The Tenant is recommended to obtain the assistance of a social worker or other support to ensure that the ODSP payments are reinstated as soon as possible.

It is ordered that:

1. The motion to set aside Order LTB-L-007685-26, issued on February 2, 2026, is granted.
2. Order LTB-L-007685-26, issued on February 2, 2026, is set aside and cannot be enforced.
3. The previous order issued on November 27, 2025, with respect to LTB-L-074928-25 is amended as follows.
4. The Tenant shall pay to the Landlord \$1,509.60 for arrears of rent up to March 31, 2026, and the application filing fee.
5. The Tenant shall pay to the Landlord the amount set out in paragraph 4 in accordance with the following schedule:

Date	Amount
April 20, 2026	\$100.00
May 20, 2026	\$100.00
June 20, 2026	\$100.00
July 20, 2026	\$100.00
August 20, 2026	\$100.00
September 20, 2026	\$100.00
October 20, 2026	\$100.00
November 20, 2026	\$100.00
December 20, 2026	\$100.00
January 20, 2027	\$100.00
February 20, 2027	\$100.00
March 20, 2027	\$100.00
April 20, 2027	\$100.00
May 20, 2027	\$100.00
June 20, 2027	\$100.00
July 20, 2027	\$9.60

6. The Tenant shall also pay to the Landlord new rent in full and on time as it comes due and owing on or before the first day of each month for the period May 1, 2026, to July 31, 2026, or until the arrears are paid in full, whichever date is earliest. The rent for the month of April 2026 is due on or before April 20, 2026.

7. If the Tenant fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 4 of this order, along with simple interest at a rate of 4 percent on the balance shall become due and owing to the Landlord the day following the date of default. In addition, the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after March 31, 2026.

March 18, 2026
Date Issued

Kate Sinipostolova
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.