



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

File Number: LTB-L-001699-26-SA

In the matter of: Upper South 1, 1781 QUAIL RUN DR
OSHAWA ON L1K0L7

Between: Richard Topacho Landlord
Pieralba Okumu

And

Jeff Elson Tenant
Jeanette Adams

Richard Topacho and Pieralba Okumu (the 'Landlord') applied for an order to terminate the tenancy and evict Jeff Elson and Jeanette Adams (the 'Tenant') because the Tenant did not meet a condition specified in the with respect to application .

The Landlord's application was resolved by order LTB-L-001699-26, issued on February 3, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-001699-26.

This motion was heard by videoconference on March 16, 2026.

Only the Tenant Jeanette Adams attended the hearing.

As of 2:00 PM, the Landlord 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. As a result, the hearing proceeded with only the Tenant's evidence.

Determinations:

1. The Landlord's application for eviction is duplicate of LTB-L-002559-26 which found the agreement to terminate the tenancy to be invalid. Accordingly, I find that it would not be unfair to set aside order LTB-L-001699-26.

It is ordered that:

1. The motion to set aside Order LTB-L-001699-26, issued on March 16, 2026, is granted.

2. Order LTB-L-001699-26, issued on March 16, 2026, is set aside and cannot be enforced.

March 20, 2026
Date Issued

Bryan Delorenzi
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.