



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

File Number: LTB-L-099569-25-SA

In the matter of: 43, 50 SILVER LINDEN DR
RICHMOND HILL ON L4B3S7

Between: Housing York Inc Landlord

And

KAREN SINCLAIR Tenant

Housing York Inc (the 'Landlord') applied for an order to terminate the tenancy and evict KAREN SINCLAIR (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 mediated settlement signed by the parties on August 29, 2025 with respect to application LTB-L-050860-25.

The Landlord's application was resolved by order LTB-L-099569-25, issued on December 1, 2025. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-099569-25.

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

Only the Tenant's legal representative Nnonyechi Okenwa attended the hearing.

The Landlord 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. Prior to the hearing the Landlord filed a Request to Discontinue the underlying L1 application LTB-L-050860-25. The application was resolved by a mediated settlement and cannot be discontinued.
2. The Tenant's representative attended the hearing and informed the Board that the Tenant cleared all the arrears to March 31, 2026. This aligns with the Landlord's Request to Discontinue which indicates the arrears and fees were at zero by March 6, 2026.

3. Given the Landlord's filing of the Request to Discontinue the original application and their non-attendance at the motion hearing, I find that the Landlord does not intend to proceed with enforcement of the ex parte eviction order issued on December 1, 2025. As a result, it would not be unfair to set aside order LTB-L-099569-25.

It is ordered that:

1. The motion to set aside Order LTB-L-099569-25, issued on December 1, 2025, is granted.
2. Order LTB-L-099569-25, issued on December 1, 2025, is set aside and cannot be enforced.
3. The arrears and fees agreed upon in LTB-L-050860-25 are satisfied by the Tenant.

March 20, 2026
Date Issued

Brett Lockwood
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.