



**Order under Section 78(6)
Residential Tenancies Act, 2006**

File Number: LTB-L-025283-26

In the matter of: 2201, 121 PARKDALE AVE
OTTAWA ON K1Y4J2

Between: 10543969 Canada Inc. Landlord

And

Monica Ashraf Samir Soliman Tenant

10543969 Canada Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Monica Ashraf Samir Soliman (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 December 4, 2025, with respect to application LTB-L-078127-25.

This application was decided without a hearing being held.

Determinations:

1. The Board issued order LTB-L-078127-25 on December 5, 2025. The order required the Tenant to make payments to the Landlord for the arrears owing and ongoing rent by specific dates.
2. The order LTB-L-078127-25 also included a "section 78 clause", which states that if the Tenant failed to make any of the payments, the Landlord could apply to the Board under section 78 of the *Residential Tenancies Act*, 2006 (the "Act") without notice to the Tenant, for an order terminating the tenancy and evicting the Tenant. Pursuant to subsection 78(5) of the Act, an application made under section 78 must be filed no later than 30 days after the breach of the original order.
3. In the application, the Landlord claims that the Tenant breached LTB-L-078127-25 by failing to pay the lawful monthly rent on time and in full beginning December 1, 2025, up to and including January 1, 2026.
4. However, the Landlord filed this application on March 20, 2026. The application was filed more than 30 days after the missed payments were due in the order. Therefore, the Landlord's claim that the Tenant breached the order is out of time.
5. The Board has no jurisdiction to consider this application, which was filed beyond 30 days after the alleged breach.

It is ordered that:

1. The Landlords' application under section 78 of the Act is dismissed.

March 24, 2026
Date Issued

Joshua Labbe
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.