



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

File Number: LTB-L-013800-26-SA

In the matter of: 109, 460 LEITCH DR
CORNWALL ON K6H7L5

Between: City of Cornwall, Housing Services Landlord

And

Fariha Naz Tenants
Tanweer Khan

City of Cornwall, Housing Services (the 'Landlord') applied for an order to terminate the tenancy and evict Fariha Naz and Tanweer Khan (the 'Tenants') and for an order to have the Tenants pay the rent they owe because the Tenants did not meet a condition specified in the order issued by the LTB on February 4, 2026 with respect to application LTB-L-102575-25-SA.

The Landlord's application was resolved by order LTB-L-013800-26, issued on February 20, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-013800-26.

This motion was heard by videoconference on March 30, 2026. The Landlord's representative Chantal Blanchard, and the Tenants, attended the hearing.

Determinations:

1. The Tenants breached the conditions of order LTB-L-026422-22. The Landlord filed an L4 application, and the Board issued order LTB-L-102575-25 on December 29, 2025. The Tenants filed a set aside motion which was heard on January 19, 2026.
2. At the set aside hearing on January 19, 2026, the Board granted relief from eviction over the objection of the Landlord. The Tenants owed the Landlord \$8,942.00 in arrears and costs to the end of January 2026. The Tenant Tanweer Khan testified he would resume employment within a week and proposed the repayment plan of \$150.00 each month. The Board ordered rent to be paid on time with the exception of February which was delayed until February 11th, as well as \$150.00 on or before the 20th day of each month beginning in February 2026.
3. Since the set aside order was issued, with the conditions to be met for relief from eviction, the Tenants made one arrears payment in February of \$150.00 of the \$2,550.00 that has

become due since the hearing in January. Due to the fact that no other payments were made, the amount the Tenants owe the Landlord has increased to \$11,745.00.

4. The Tenants testimony confirmed they do not have the funds necessary to pay April rent which became due the day after this hearing.
5. The last time the Tenant made any payments to the Landlord before the February arrears payment was a \$250.00 payment on June 27, 2025.
6. Based on the history of not paying rent, the fact the Board granted relief from eviction with conditions based on what the Tenants proposed, and the fact the amount the Tenants owe the Landlord has increased, I find that it would be unfair to set aside order LTB-L-013800-26.

It is ordered that:

1. The motion to set aside Order LTB-L-013800-26, issued on February 20, 2026, is denied.
2. The stay of order LTB-L-013800-26 is lifted immediately.
3. Order LTB-L-013800-26 is unchanged.

April 2, 2026

Date Issued

Greg Joy

Vice Chair, 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.

