



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

**File Number:** LTB-L-003267-26-SA

**In the matter of:** 205, 255 RIVERSIDE DR E  
WINDSOR ON N9A6T6

**Between:** Windsor Essex Community Housing Corporation Landlord

**And**

Derek Khan Tenant

Windsor Essex Community Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Derek Khan (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 September 15, 2025 with respect to application LTB-L-039332-25-SA.

The Landlord's application was resolved by order LTB-L-003267-26, issued on January 20, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-003267-26.

This motion was heard by videoconference on April 1, 2026.

The Landlord and the Tenant attended the hearing.

The parties before the Board consented to the following order:

**On consent, it is ordered that:**

1. The motion to set aside Order LTB-L-003267-26, issued on January 20, 2026, is granted and replaced with the following order.
2. The arrears and costs owing to April 30, 2026 total \$4,314.00.
3. The tenancy between the Landlord and the Tenant is terminated unless the Tenant voids this order.
4. **The Tenant may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust:**

- \$4,314.00 if the payment is made on or before April 30, 2026; OR
  - \$4,825.00 if the payment is made on or before May 31, 2026; OR
  - \$5,336.00 if the payment is made on or before June 30, 2026.
5. The Tenant may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenant has paid the full amount owing as ordered plus any additional rent that became due after June 30, 2026 but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenant may only make this motion once during the tenancy.
  6. **If the Tenant does not pay the amount required to void this order the Tenant must move out of the rental unit on or before June 30, 2026.**
  7. If the Tenant does not void the order, the Tenant shall pay to the Landlord \$3,826.80. This amount includes rent arrears owing up to the date of the hearing.
  8. The Tenant shall also pay the Landlord compensation of \$16.80 per day for the use of the unit starting April 2, 2026 until the date the Tenant moves out of the unit.
  9. If the Tenant does not pay the Landlord the full amount owing on or before June 30, 2026, the Tenant will start to owe interest. This will be simple interest calculated from July 1, 2026 at 4.00% annually on the balance outstanding.
  10. If the unit is not vacated on or before June 30, 2026, then starting July 1, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
  11. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord on or after July 1, 2026.

**April 9, 2026**  
**Date Issued**

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Sonia Anwar-Ali  
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on January 1, 2027 if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.