



**Order under Section 94.11(1)
Residential Tenancies Act, 2006**

File Number: LTB-C-023450-26-SA

In the matter of: 2869 DES MESANGES DR
Gloucester ON K1T2C7

Between: Cooperative D'Habitation Lafontaine Inc. Co-op

And

Thierry Mbarushimana Co-op Members
Joella Nahima

Cooperative D'Habitation Lafontaine Inc. (the 'Co-op') applied for an order to end the occupancy of the member unit and evict Thierry Mbarushimana and Joella Nahima (the 'Co-op Members') and for an order to have the Co-op Members pay the regular monthly housing charges they owe because the Co-op Members failed to meet a condition specified in the order issued by the LTB on January 26, 2026 with respect to application LTB-C-087411-25.

The Co-op's application was resolved by order LTB-C-023450-26, issued on March 18, 2026. This order was issued without a hearing being held. The Co-op Members filed a motion to set aside order LTB-C-023450-26.

This motion was heard by videoconference on April 7, 2026. The Co-op's Agent, R. McAleer, the Co-op's Legal Representative, J. Cross, and the Co-op Members attended the hearing. The Co-op Members' daughter, S. Shima, spoke on their behalf.

Determinations:

1. The Co-op Members failed to meet a condition specified in the order issued by the LTB on January 26, 2026, with respect to application LTB-C-087411-25. The Co-op Members failed to pay the regular monthly housing charges, and arrears of \$370.75 on March 1, 2026.
2. On February 27, 2026, the Co-op Members informed the Co-op that there had been a change to the bank account from which the Co-op automatically withdrew their payments. As this was not communicated to the Co-op in time for the payment to be redirected, the Co-op Members claimed they were unable to make the payments on March 1, 2026.
3. The Co-op opposed the motion and stated that on February 25, 2026, the Co-op Members informed her that they could not make the payments on March 1, 2026. Following receipt of the change of account information, the Co-op requested that they make the payment by cheque, but they failed to do so. The payments were subsequently made on March 9, 2026, through the new bank account.

4. The parties agree that both the regular monthly housing charges and arrears were promptly paid on April 1, 2026, when they came due.
5. The Co-op Members have resided in the unit for 10 years and have four children under the age of eighteen.
6. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-C-023450-26. There is no dispute that the Co-op Members breached Order LTB-C-087411-25 in March 2026. However, they have since rectified the breach by making the missed payments and ensuring the April 2026 payment was made on time. In these circumstances, it is fair to grant the motion and provide the Co-op Members with another opportunity to continue their long-term occupancy of the unit.

It is ordered that:

1. The motion to set aside Order LTB-C-023450-26, issued on March 18, 2026, is granted. The order cannot be enforced by the Co-op.
2. The order issued by the LTB on January 26, 2026, with respect to application LTB-C-087411-25, continues in effect.

April 10, 2026

Date Issued

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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.