



**Order under Section 94.11
Residential Tenancies Act, 2006**

File Number: LTB-C-026164-26-SA

In the matter of: 4, 28 Melbourne Avenue
Toronto ON M6K 2K5

Between: Dufferin Grove Housing Co-operative Inc Co-op

And

Sade Smithen Co-op Member
Tamar Smithen

Dufferin Grove Housing Co-operative Inc (the 'Co-op') applied for an order to end the occupancy of the member unit and evict Sade Smithen and Tamar Smithen (the 'Co-op Member') and for an order to have the Co-op Member pay the regular monthly housing charges they owe because the Co-op Member failed to meet a condition specified in the order issued by the LTB on December 2, 2025 with respect to application LTB-C-086583-25.

The Co-op's application was resolved by order LTB-C-026164-26, issued on March 27, 2026. This order was issued without a hearing being held.

The Co-op Member filed a motion to set aside order LTB-C-026164-26.

This motion was heard by videoconference on April 14, 2026.

The Co-op's Representative Hunter Stone, the Co-op's Agent Tonya Earle and the Co-op Members attended the hearing.

At the hearing, the parties consented to the following order.

When the capitalized word "Co-op Member" is used in this order, it refers to all persons identified as a Co-op Member at the top of the order.

It is ordered on consent that:

1. The motion to set aside order LTB-C-026164-26, issued on March 27, 2026, is granted.
2. Order LTB-C-026164-26, issued on March 27, 2026, is set aside and cannot be enforced.
3. Order LTB-C-086583-25-SA, issued on December 2, 2025, is amended as follows.

4. The Co-op Member shall pay to the Co-op \$16,018.36 for arrears of regular monthly housing charges up to April 30, 2026, and the application filing fee.
5. The Co-op Member shall pay to the Co-op the amount set out in paragraph 4 in accordance with the following schedule:
 - \$266.97 on or before the 15th day of each month from May 15, 2026, to March 15, 2031; and
 - \$267.13 on or before April 15, 2031.
6. The Co-op Member shall also pay to the Co-op new regular monthly housing charges in full and on time as they come due and owing on or before the first day of each month for the period May 1, 2026, to April 30, 2031, or until the arrears are paid in full, whichever date is earliest.
7. If the Co-op Member fails to make any one of the payments in accordance with this order, the Co-op may, without notice to the Co-op Member, apply to the LTB within 30 days of the Co-op Member's breach pursuant to section 94.11 of the *Residential Tenancies Act* (2006) (the 'Act') for an order terminating the occupancy and evicting the Co-op Member and requiring that the Co-op Member pay any new arrears, NSF fees and related charges that became owing after April 30, 2026.

April 21, 2026
Date Issued

Kate Sinipostolova
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.