



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

File Number: LTB-L-032931-26

In the matter of: 307, 10 Pearl St
Smiths Falls ON K7A5B5

Between: Torbill Holdings Landlord

And

Sara Mathieson Tenant

On April 14, 2026, Torbill Holdings (the 'Landlord') applied for an order to terminate the tenancy and evict Sara Mathieson (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 Landlord and Tenant Board ('LTB') on February 19, 2026 with respect to application LTB-L-099094-25.

This application was decided without a hearing being held.

Determinations:

1. The Landlord filed an L4 application and claims the Tenant failed to pay \$499.07 towards the arrears on or before March 15, 2026 and that the Tenant failed to pay the lawful monthly rent due by April 1, 2026.
2. The previous order, LTB-L-099094-25, issued on February 19, 2026 does not contain a provision that the Landlord can file an application pursuant to section 78 of the *Residential Tenancies Act, 2006* (the 'Act') should the Tenant fail to pay amounts towards the arrears and/or the ongoing monthly rent.
3. Instead, the order contains the provision that should the Tenant fail to pay the payments required to the Landlord in full and on time, the Landlord may ask the LTB to reopen the application no later than 30 days after the Tenant's breach. This will result in a hearing at the LTB.
4. Therefore, the LTB has no jurisdiction to issue an order under section 78 of the Act.

It is ordered that:

1. The Landlord's L4 application is dismissed.
2. Order LTB-L-099094-25 remains in full force and effect.

April 16, 2026
Date Issued

Kimberly Parish
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.