



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

File Number: LTB-L-017314-26-SA

In the matter of: 302, 54 QUEEN ST S GD 0
TOTTENHAM ON L0G1W0

Between: Richmond Properties C/O Frontline Property Management Landlord

And

Maxim Smolin Tenants
Nadia Windfield

Richmond Properties C/O Frontline Property Management (the 'Landlord') applied for an order to terminate the tenancy and evict Maxim Smolin and Nadia Windfield (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 mediated settlement signed by the parties on December 12, 2025 with respect to application LTB-L-081499-25.

The Landlord's application was resolved by order LTB-L-017314-26, issued on March 3, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-017314-26.

This motion was heard by videoconference on April 22, 2026. The Landlord's representative Andrea Lahey, and the Tenant, Nadia Windfield, attended the hearing. Maxim Smolin has vacated the rental unit.

Determinations:

1. The Tenants owed the Landlord \$7,411.00 in arrears and costs to the end of December 2025. The Tenants were to pay the Landlord rent in full and on time plus \$300.00 on or before the 20th day of each month from January until the arrears were paid in full.
2. Since the parties consented to the order the amount owing to the Landlord has increased by \$2,896.89. The amount owing to the Landlord is now \$10,307.89 to the end of April. The Tenant acknowledges that rent for January, February and March, immediately after the order was issued, were not paid. The Tenant also testified that other bills were paid during that period.

3. The lawful monthly rent is \$1,569.13 and the Tenant's total monthly income is \$2,300.00. The Tenant proposed paying \$150.00 monthly toward arrears which would take more than 5 ½ years to pay the arrears.
4. After considering all of the circumstances, including the fact that the amount owing has significantly increased in the past four months, and that the Tenant's income is insufficient to pay rent and make reasonable monthly payments toward the arrears, I find that it would be unfair to set aside order LTB-L-017314-26.

It is ordered that:

1. The motion to set aside Order LTB-L-017314-26, issued on March 3, 2026, is denied.
2. The stay of order LTB-L-017314-26 is lifted immediately.
3. Order LTB-L-017314-26 is unchanged.

April 28, 2026

Date Issued

Greg Joy

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.

