



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

Date: 2026-04-27

File Numbers: LTB-L-103794-25-SA
LTB-T-004862-26

In the matter of: 1913, 390 QUEENS QUAY W
TORONTO ON M5V3A6

Between: COAL HARBOUR PROPERTIES LIMITED
PARTNERSHIP Landlord

And

MIDIALIS JAUREGUI Tenant

COAL HARBOUR PROPERTIES LIMITED PARTNERSHIP (the 'Landlord') applied for an order to terminate the tenancy and evict MIDIALIS JAUREGUI (the 'Tenant') because the Tenant did not meet a condition specified in the order issued by the LTB on July 29, 2025, with respect to application LTB-L-044633-25-SA (*Landlord's L4 Application, File # LTB-L-103794-25-SA*).

The Landlord's application was resolved by order LTB-L-103794-25, issued on January 5, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-103794-25.

MIDIALIS JAUREGUI (the 'Tenant') applied for an order determining that Coal Harbour Properties LLP (the 'Landlord') (*Tenant's T2/T6 Application, File # LTB-T-004862-26*):

- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household (*T2 Application*).
- harassed, obstructed, coerced, threatened or interfered with the Tenant.
- failed to meet the Landlord's maintenance obligations under the *Residential Tenancies Act, 2006* (the 'Act') or failed to comply with health, safety, housing or maintenance standards (*T6 Application*).

This matter was heard by videoconference on April 22, 2026. The Landlord's Agent, Vanya Tuparova, Represented by Marie Galeveski, and the Tenant, Represented by Sajjad Najem, attended the hearing.

At the hearing, the parties requested the following order on consent. I am satisfied that the parties understood the consequences of their joint submissions.

Determinations:

1. At the hearing, the Tenant requested to withdraw LTB-T-004862-26. I could find no prejudice to either party, therefore, I granted the Tenant's request.

On consent, it is ordered that:

1. LTB-T-004862-26 is marked as withdrawn and the file is closed.
2. The motion to set aside Order LTB-L-103794-25, issued on January 5, 2026, is granted.
3. Order LTB-L-103794-25, issued on January 5, 2026, is set aside and cannot be enforced.
4. The previous order issued on July 29, 2025, with respect to LTB-L-044633-25-SA is cancelled and replaced with the following:
 1. The Tenant shall pay the lawful monthly rent on the first day each month for a period of 12 months commencing May 2026 through April 2027.
 2. If the Tenant fails to comply with the conditions set out in paragraph 1 of this order, the Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant. The Landlord must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Tenant.
 3. The Landlord shall advise the Tenant by e-mail, copying the Tenant's Legal Representative, if the Tenant has failed to make a payment by the second day following the breach.
 4. The Landlord shall advise the Tenant by e-mail, copying the Tenant's Legal Representative, if the Tenant remains in a breach on the fourth day following the breach, and will advise at that time of the Landlord's intention to file an *ex-parte* application with the LTB alleging the Tenant's breach.
 5. The Landlord agrees to refrain from filing an application alleging a breach against the Tenant where the Landlord, subject to their own discretion, determines that the Tenant is in breach because of circumstances beyond the Tenant's immediate control.

April 27, 2026
Date Issued

Jane Dean
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.