



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

File Number: LTB-L-022636-26-SA

In the matter of: 103, 327 DUDLEY AVE
NORTH BAY ON P1B7A4

Between: JAMES MOORE Landlord

And

KIRSTIN COONEY Tenant

JAMES MOORE (the 'Landlord') applied for an order to terminate the tenancy and evict KIRSTIN COONEY (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 LTB on February 11, 2026 with respect to application LTB-L-001246-26.

The Landlord's application was resolved by order LTB-L-022636-26, issued on March 17, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-022636-26.

This motion was heard by videoconference on May 4, 2026. The Landlord and the Tenant attended the hearing.

Determinations:

1. The Tenant breached the conditions of order LTB-L-079753-35. The Landlord filed an L4 application and an eviction order was issued without a hearing. The Tenant filed a set aside motion. At the motion hearing the Board granted relief from eviction. The Tenant owed the Landlord \$9,686 in arrears and costs to the end of February 2026.
2. The Tenant has made no payments since and the amount the Tenant owes has increased to 12,941.35.
3. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-022636-26.

It is ordered that:

1. The motion to set aside Order LTB-L-022636-26, issued on March 17, 2026, is denied.

2. The stay of order LTB-L-022636-26 is lifted immediately.
3. Order LTB-L-022636-26 is unchanged.

May 6, 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.