



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

File Number: LTB-L-022495-26-SA

In the matter of: UNIT 2A, 60 WALES AVE
TORONTO ON M5T1J4

Between: Linxiu Zhu Landlord

And

Andrea Vianey Almada Paniagua Tenant

Linxiu Zhu (the 'Landlord') applied for an order to terminate the tenancy and evict Andrea Vianey Almada Paniagua (the 'Tenant') and for an order to have the Tenant pay compensation for damage they owe because the Tenant did not meet a condition specified in the order issued by the LTB on January 16, 2026 with respect to application LTB-L-079890-25.

The Landlord's application was resolved by order LTB-L-022495-26, issued on March 27, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-022495-26.

This motion was heard by videoconference on May 13, 2026. The Landlord represented by Yun Tao Li, and the Tenant, with the assistance of a Spanish interpreter, attended the hearing. Also in attendance as witness for the Landlord was Dariia Sniehovska,

Determinations:

1. With the assistance of a Board Dispute Resolution Officer, the Tenant consented to an order granting relief from eviction on the condition the Tenant does not engage in any incidents of harassment and/or substantial interference with other tenants.
2. The Landlord claims that is interfering with the use of the shared kitchen in the rooming house.
3. Ms. Sniehovska testified that the Tenant obstructs her use of the kitchen because the Tenant does not want anyone to use the kitchen at the same time.
4. The Tenant testified that the other residents try to control everything and attack her time in the kitchen.

5. The testimony from the Landlord shows that the Landlord has unilaterally imposed a schedule for the use of the kitchen. The imposition of a schedule has unilaterally reduced a tenant's use of the kitchen without the consent of the tenants in the residential complex.
6. I find that the schedule imposed on the tenants is a contributing factor to the conflict between the Tenant and Ms. Sniehovska. In addition, Ms. Sniehovska no longer resides in the residential complex and therefore there can be no further issues between these parties.
7. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-022495-26.

It is ordered that:

1. The motion to set aside Order LTB-L-022495-26, issued on March 27, 2026, is granted.
2. Order LTB-L-022495-26, issued on March 27, 2026, is set aside and cannot be enforced.

May 20, 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.

