



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

File Number: LTB-L-012566-26-SA

In the matter of: 2205, 55 TRILLER AVE
TORONTO ON M6R2H6

Between: MetCap Living Management Inc. Landlord

And

Alexandra Fialho Tenant

MetCap Living Management Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Alexandra Fialho (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 January 19, 2026 with respect to application LTB-L-093501-25-SA.

The Landlord's application was resolved by order LTB-L-012566-26, issued on February 19, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-012566-26.

This motion was heard by videoconference on May 19, 2026. The Landlord's representative Krizia Hernandez, and the Tenant, attended the hearing.

Determinations:

1. The Tenant owed the Landlord \$ in arrears and costs to the end of December 2025. the Tenant was ordered to pay rent plus \$400.00 until the arrears were paid in full. The Tenant had an issue with paying January rent. The Tenant had been sick and had to miss work but is not working full time and is also receiving \$400.00 monthly because she has gained custody of her granddaughter.
2. The amount the Tenant currently owes is \$5,509.70, similar to what she previously owed the Landlord. I find this demonstrates the Tenant's interest in paying the arrears.
3. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-012566-26.
4. This is the Tenant's second set aside motion in a one-year tenancy. The Tenant was informed at the hearing that this would be the last opportunity to preserve this tenancy.

It is ordered that:

1. The motion to set aside Order LTB-L-012566-26, issued on February 19, 2026, is granted.
2. Order LTB-L-012566-26, issued on February 19, 2026, is set aside and cannot be enforced.
3. Order LTB-L-093501-25-SA is cancelled and replaced with the following:
4. The Tenant shall pay to the Landlord \$5,509.70 plus rent as it becomes due as follows:
 - The Tenant shall pay to the Landlord the lawful rent plus \$400.00 on or before the 1st day of each consecutive month commencing June 2026 and continuing through July 2027.
 - The Tenant shall pay to the Landlord the lawful rent plus \$309.70 on or before August 1, 2027.
5. In the event the Tenant fails to make the above said payments in full and on time, the entire balance of the amount set out in this Order will become due and payable forthwith under this Order. The Landlord shall be entitled to apply to the Board, no later than 30 days after a breach of this Order, without notice to the Tenant, for an Order terminating the tenancy and evicting the Tenant and for any arrears that become due after the date of this order, pursuant to Section 78 of the Residential Tenancies Act, 2006.

May 27, 2026

Date Issued

Greg Joy

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.

