



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

File Number: LTB-L-011397-26-SA

In the matter of: Main, 82 Mulock Avenue
Toronto, ON M6N3C6

Between: Xinde Xia Landlord

And

Kevin Cadogan Tenant
Brandy Salikin

Xinde Xia (the 'Landlord') applied for an order to terminate the tenancy and evict Kevin Cadogan and Brandy Salikin (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 November 14, 2025 with respect to application LTB-L-074000-25.

The Landlord's application was resolved by order LTB-L-011397-26, issued on April 7, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-011397-26.

This motion was heard by videoconference on May 20, 2026.

The Landlord and the Tenants attended the hearing.

Determinations:

There was a breach of the previous order

1. The Tenant does not dispute that they failed to meet a condition specified in the order issued by the LTB on November 14, 2025 with respect to application LTB-L-074000-25. Specifically, the Tenant admits they failed to \$300.00 in arrears on February 2, 2026.

The surrounding circumstances

2. The Tenant admits that they failed to make payments in accordance with the original order, as they became overwhelmed by the obligations imposed under both that order and the terms consented to in LTB-L-019118-25. In particular, both agreements established strict timelines for payments related to arrears and utilities.

3. Ms. Salikin is the sole income earner residing in the rental unit and experienced difficulty maintaining the required payments. Since the breach the parties agree that the Tenant has brought the rent into good standing. It was unclear from the parties whether there was one other potential breach of the agreement as neither party could provide reliable evidence that one occurred.
4. The Tenant seeks an additional opportunity to comply with the original order. The Landlord opposes the motion, submitting that it should be denied on the basis that the Tenant was previously afforded a second chance and failed to comply with the consent terms.
5. Having considered all of the circumstances, I find that it would not be unfair to set aside Order LTB-L-011397-26. The breach occurred on a single occasion, and in light of the Tenant's circumstances, I am not satisfied that eviction is warranted. The Tenant provided evidence of committing to no further breaches and expressed optimism that her financial situation will improve.
6. Accordingly, I find it appropriate to grant the motion and provide the Tenant with a further opportunity to comply with the original terms of the consent.

It is ordered that:

1. The motion to set aside Order LTB-L-011397-26, issued on April 7, 2026, is granted.
2. Order LTB-L-011397-26, issued on April 7, 2026, is set aside and cannot be enforced.
3. The previous order issued on November 14, 2025 with respect to LTB-L-074000-25 remains in force.

May 25, 2026
Date Issued

Brett Lockwood
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.