



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

File Number: LTB-L-028644-26-SA

In the matter of: 1, 4 WINEVA AVE
TORONTO ON M4E2S8

Between: Toronto Community Housing Corporation Landlord

And

Emmanuel Gonzalez Tenants
Kay Weekes

Toronto Community Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Emmanuel Gonzalez and Kay Weekes (the 'Tenants') and for an order to have the Tenant pay the rent they owe because the Tenants did not meet a condition specified in the order issued by the LTB on May 10, 2023 with respect to application LTB-L-016145-23.

The Landlord's application was resolved by order LTB-L-028644-26, issued on April 17, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-028644-26.

This motion was heard by videoconference on May 28, 2026. The Landlord's representative Natassha Johnson, and the Tenants, attended the hearing.

Determinations:

1. The Tenants owed the Landlord \$22,558.40 in arrears and costs to the end of May 2023. With the assistance of a Board Dispute Resolution Officer, the Tenants agreed to make payments to the Landlord through June 2027, with rent as it became due, to pay the entire balance.
2. By the date of this hearing, the amount the Tenants owe the Landlord should have been reduced by \$17,265.00 to \$5,293.40.
3. The amount the Tenants now owe has increased to \$27,756.51. The Landlord's representative testified that the Landlord has made extensive efforts to communicate with the Tenants with no success. In addition, the Tenants have not paid April or May rent. The Landlord's representative submits that the Tenants proposed another repayment plan but did not want the order subject to an eviction if they breached the conditions.

4. The Tenants proposed paying half the arrears by June 12th but provided no evidence to support the payment was possible. The Tenants have had since April 20th, when they filed the set aside motion, to provide evidence to support a possible payment.
5. After considering all of the circumstances, including the fact the Tenants have stopped paying rent, and that the arrears have increased when the amount they owe should have been significantly reduced, I find that it would be unfair to set aside order LTB-L-028644-26.

It is ordered that:

1. The motion to set aside Order LTB-L-028644-26, issued on April 17, 2026, is denied.
2. The stay of order LTB-L-028644-26 is lifted immediately.
3. Order LTB-L-028644-26 is unchanged.

June 2, 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.

