



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

File Number: LTB-L-031702-26-SA

In the matter of: 7, 1481 RITSON RD S
OSHAWA ON L1J3M3

Between: Durham Regional Local Housing Corporation Landlord

And

Eleanor Peterkin-Taylor Tenant

Durham Regional Local Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Eleanor Peterkin-Taylor (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 28, 2026 with respect to application LTB-L-103845-25.

The Landlord's application was resolved by order LTB-L-031702-26, issued on April 17, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-031702-26.

This motion was heard by videoconference on June 1, 2026.

Only the Tenant attended the hearing.

As of 1:27 p.m., the Landlord was not present or represented at the hearing although properly served with notice of this hearing by the LTB. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Tenant's testimony.

It should be noted that the Landlord signed in at 1:57 p.m., after the hearing had concluded; they were advised of the outcome.

Determinations:

There was a breach of the previous order

1. The Tenant failed to meet a condition specified in the order issued by the LTB on January 28, 2026 with respect to application LTB-L-103845-25.; the Tenant did not pay the arrears due March 10, 2026, or the rent due April 1, 2026.

The surrounding circumstances

2. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-031702-26. The Tenant has paid all arrears/costs in relation to order LTB-L-103845-25 issued by the Board on January 28, 2026; this was confirmed by the Landlord's request to discontinue order that was posted to the portal on May 25, 2026. Therefore, the Landlord's L1 application shall be dismissed.

It is ordered that:

1. The motion to set aside Order LTB-L-031702-26, issued on April 17, 2026, is granted.
2. The L1 application LTB-L-103845-25 is dismissed.

June 10, 2026

Date Issued

Diane Wade

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.