



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

File Number: LTB-L-020259-26-SA

In the matter of: 200, 11 DERVOCK CRES
NORTH YORK ON M2K1A6

Between: CAPREIT LIMITED PARTNERSHIP Landlord

And

DERECK GUTU Tenant

CAPREIT LIMITED PARTNERSHIP (the 'Landlord') applied for an order to terminate the tenancy and evict DERECK GUTU (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 September 19, 2025 with respect to application LTB-L-062440-25.

The Landlord's application was resolved by order LTB-L-020259-26, issued on March 9, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-020259-26.

This motion was heard by videoconference on April 21, 2026.

The Landlord's Legal Representative Jason Paine and the Tenant Dereck Gutu attended the hearing.

At the hearing the parties consented to the following order in full and final satisfaction of all issues in this application. I am satisfied the parties understood the terms.

It is ordered on consent that:

1. The motion to set aside Order LTB-L-020259-26, issued on March 9, 2026, is granted.
2. Order LTB-L-020259-26, issued on March 9, 2026, is set aside and cannot be enforced.
3. The previous order issued on September 19, 2025, with respect to LTB-L-062440-25 is amended as follows:
4. The Tenant shall pay to the Landlord \$1,452.49 for arrears of rent up to April 30, 2026.

5. The Tenant shall pay to the Landlord the amount set out in paragraph 4 in accordance with the following schedule:

Payment Date	Payment Amount
May 8, 2026	\$675.00
May 29, 2026	\$777.49

6. The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the rental period of May 1, 2026, or until the arrears are paid in full, whichever date is earliest.
7. Section 78 of the Residential Tenancies Act, 2006, S.O. 2006, c.17 applies to this Order. If the Tenant fails to make any of the payments in accordance with paragraphs 5 and 6 of this order, the Landlord may apply at no cost, and without notice to the Tenant, for an order to terminate the tenancy and evict the Tenant. The Landlord must make this application within 30 days of a breach of a condition set out in this Order.

June 12, 2026
Date Issued

Kyle Anderson
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.