



**Order under Section 78(6)
Residential Tenancies Act, 2006**

File Number: LTB-L-052846-26

In the matter of: 11 LOTHBURY DR
BRAMPTON ON L7A4G7

Between: Emily Adachi Landlord

And

Karen Scarlett Tenant

Emily Adachi (the 'Landlord') applied for an order to terminate the tenancy and evict Karen Scarlett (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 Landlord and Tenant Board ('LTB') on March 13, 2026 with respect to application LTB-L-104489-25.

This application was decided without a hearing being held.

Determinations:

1. The order provides that the Landlord can apply to the LTB under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenant to terminate the tenancy and evict the Tenant if the Tenant does not meet certain condition(s) in the order. Pursuant to subsection 78(5) of the Act, an application made under section 78 must be filed no later than 30 days after the breach of the original order.
2. The prior order LTB-L-104489-25 requires the Tenant to pay the following:
 - 1) *The Tenant shall pay to the Landlord \$18,386.00 for arrears of rent up to March 3, 2026, and costs.*
 - 2) *The Tenant shall pay to the Landlord the amount set out in paragraph 1 in accordance with the following schedule:*
 - a) *\$1,500.00 on each and every Friday, beginning February 20, 2026 up to and including May 8, 2026.*
 - b) *\$386.00 payment will be made on May 15, 2026.*
 - 3) *The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period March 4, 2026, to May 4, 2026, or until the arrears are paid in full, whichever date is earliest.*

3. The Landlord claims in the Declaration in support of the application that the last payment of arrears was made on March 2, 2026 with no further payment of arrears to present being made.
4. The Landlord filed this application on June 19, 2026. The application was filed more than 30 days after the missed payments were due in the order. The due date for the last payment in LTB-L-104489-25 was May 15, 2026. Therefore, the Landlord's claim that the Tenant breached the order is out of time.
5. The LTB has no jurisdiction to consider this application, which was filed beyond 30 days after the alleged breaches.

It is ordered that:

1. The Landlord's application is dismissed.

June 24, 2026
Date Issued

Kimberly Parish
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.