



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

File Number: LTB-L-107984-25

In the matter of: 0212, 2737 KIPLING AVE
ETOBICOKE ON M9V4C3

Between: METCAP LIVING MANAGEMENT INC. Landlord

And

Oluwasomi Omotayo-Benson Tenant

METCAP LIVING MANAGEMENT INC. (the 'Landlord') applied for an order to terminate the tenancy and evict Oluwasomi Omotayo-Benson (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 February 19, 2025 with respect to application LTB-L-080415-24.

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. This application was filed within 30 days of the alleged breach.
2. The Landlord claims in the application that the Tenant breached the prior order LTB-L-080415-24 in two ways: The Landlord claims the Tenant failed to pay the lawful monthly rent for December 2025 due by December 1, 2025. The Landlord claims the Tenant failed to pay the arrears payment of \$684.78 due on or before December 20, 2025.
3. The Landlord's name is noted in the application as Metcap Living Management Inc. The Landlord's name in the prior order LTB-L-080415-24 is LTB-L-080415-24. The two Landlord names differ.
4. Further, based on the application and the rent ledger produced by the Landlord, it is unclear how the Landlord arrived at the balance owing towards the arrears and how much is owing towards the new rent.
5. An Endorsement was issued to the Landlord by the LTB on December 30, 2025 which directs the Landlord to provide the following information by January 9, 2026 or the Landlord's application may be dismissed:

- i. Provide an explanation why the Landlord's name in the application differs from the prior order LTB-L-080415-24;
 - ii. Provide a detailed breakdown of the amount paid by the Tenant towards the arrears since the issuance of LTB-L-080415-24; and
 - iii. Provide a detailed breakdown of the amount paid by the Tenant towards the new monthly rent since the issuance of LTB-L-080415-24.
6. To date, the Landlord has not provided the required information as directed within the Endorsement issued on December 30, 2025. As a result, the Landlord's application is dismissed.

It is ordered that:

1. The Landlord's L4 application is dismissed.
2. Order LTB-L-080415-24 remains in full force and effect.

January 15, 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.