



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

File Number: LTB-L-104199-25-SA

In the matter of: 201, 191 NONQUON RD
OSHAWA ON L1G3S3

Between: Capreit Limited Partnership Landlord

And

Oluwatobi Abayomi Tenant

Capreit Limited Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Oluwatobi Abayomi (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 December 3, 2025 with respect to application LTB-L-065805-25.

The Landlord's application was resolved by order LTB-L-104199-25, issued on December 11, 2025. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-104199-25.

This motion was heard by videoconference on January 14, 2026.

At the hearing, the parties before the Board consented to the following order. I was satisfied the parties understood the consequences of the joint position.

On consent of the parties, it is ordered that:

1. The motion to set aside order LTB-L-104199-25, issued on December 11, 2025, is granted.
2. Order LTB-L-104199-25, issued on December 11, 2025, is set aside and cannot be enforced.
3. The Landlord's application under section 78 of the Act is dismissed.
4. The previous order issued on December 3, 2025 with respect to LTB-L-065805-25 is cancelled and replaced with the following:
5. The Tenant shall pay to the Landlord \$4,232.74 for arrears of rent up to January 31, 2026 and costs.

6. The Tenant shall pay the Landlord the amount set out in paragraph 5 of this order in accordance with the following schedule:
 - a) \$1,780.25 on January 23, 2026
 - b) \$600.00 on January 26, 2026
 - c) \$600.00 on February 20, 2026
 - d) \$600.00 on March 20, 2026
 - e) \$652.49 on April 20, 2026
7. The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period starting February 1, 2026 to April 1, 2026, or until the arrears are paid in full, whichever date is earliest.
8. If the Tenant fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 5 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after January 31, 2026.

January 16, 2026

Date Issued

John Cashmore

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.

