



**Order under Section 31
Residential Tenancies Act, 2006**

File Number: LTB-T-095005-24

In the matter of: 120 NORTHVIEW AVE.
WHITBY ON L1N 2G7

Between: Cole Graham Stephens
Brittany Elizabeth Heath Tenants

and

1417199 Ontario Limited Landlord

Cole Graham Stephens and Brittany Elizabeth Heath (the 'Tenants') applied for an order determining that Zoharabibi Amin failed to meet her maintenance obligations under the *Residential Tenancies Act, 2006* (the 'Act').

This application came before me in videoconference room 132 on January 29, 2026.

The Tenants, their legal representative Robertson Boyle, Zoharabibi Amin, her legal representative Reena Bassar, and Hans Dhingra (agent for agent 1417199 Ontario Limited) attended the hearing.

At the hearing, the parties consented to the following order. I was satisfied that the parties understood the consequences of their joint submissions, and specifically the Tenants understood that the tenancy would be terminated on February 10, 2026.

Agreed Facts:

1. The parties advised they had resolved all disputes in this tenancy including all applications currently pending before the Board.
2. The Tenants have agreed to termination of the tenancy in consideration of the payment ordered herein.
3. The parties advised that their global resolution includes withdrawing an application currently pending before the Human Rights Tribunal of Ontario. The parties understood that the Board has no jurisdiction over that matter but requested that their agreement be recorded.
4. The Tenants' request to add 1417199 Ontario Limited (the 'Landlord') as respondent will be granted.

5. The Tenants' request to add Rebecca Smith and Giovanni Smith as respondents will be denied.
6. The respondent Zoharabibi Amin will be removed as a party.
7. The Tenants will deposit all keys to the rental unit with their legal representative who will surrender them to the Landlord.
8. The rent is up to date and the Landlord has accounted to the Tenants for the last month's rent deposit together with any interest owing on the last month's deposit.
9. Pursuant to the parties' joint request, the applications in file number LTB-L-096220-25 and file number LTB-T-079568-25 will be marked withdrawn and the files closed.

It is ordered on consent that:

1. The application and style of cause are amended to remove Zoharabibi Amin and substitute 1417199 Ontario Limited as respondent.
2. The style of cause is amended to the remove Rebecca Smith and Giovanni Smith as respondents.
3. On or before January 30, 2026, the Landlord shall pay the Tenants \$18,000.00 payable to Robertson Boyle in trust.
4. The application is amended to include a request to terminate the tenancy on February 10, 2026.
5. The tenancy between the Landlord and the Tenants is terminated as of February 10, 2026.
6. If the unit is not vacated on or before February 10, 2026, then starting February 11, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
7. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord on or after February 11, 2026.
8. This order resolves all issues in the tenancy.

February 4, 2026
Date Issued

Nersi Makki
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.

In accordance with section 81 of the Act, the part of this order relating to the eviction expires on August 11, 2026 if the order has not been filed on or before this date with the Court Enforcement Office (Sheriff) that has territorial jurisdiction where the rental unit is located.