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

File Number: LTB-L-007542-26

In the matter of: 1416, 33 Orchard View Blvd
Toronto ON M4R2E9

Between: Capreit Limited Partnership — Landlord

And

Guesbeogo Abdul Fadyl Zeba — Tenant

Capreit Limited Partnership (the 'Landlord') applied for an order to terminate the tenancy and evict Guesbeogo Abdul Fadyl Zeba (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 October 3, 2025, with respect to application LTB-L-067870-25-SA.

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 breach.
2. I find that the Tenant has not met the following conditions specified in the order:

   The Tenant failed to pay the full $2,000.00 towards arrears on or before January 15, 2026. The Tenant also failed to pay to the Landlord the lawful rent of $1,807.64 in full and on time, on or before January 1, 2026.

3. The previous application includes a request for an order for the payment of arrears of rent and the order requires the Tenant to make payments by specific due dates. Accordingly, in addition to eviction, the Landlord is entitled to request an order for the payment of arrears owing.
4. The Tenant was required to pay $13,451.80 for rent arrears and the application filing fee in the previous order. The amount that is still owing from that order is $7,451.80 and that amount is included in this order. This order replaces order LTB-L-067870-25.
5. Since the date of the previous order, the Tenant has failed to pay the full rent that became owing for the period from December 1, 2025, to January 31, 2026.

6. The Landlord is entitled to daily compensation from the day after this order is issued to the date the Tenant moves out of the unit at a daily rate of $59.43. This amount is calculated as follows: $1,807.64 x 12, divided by 365 days.

It is ordered that:

1. Order LTB-L-067870-25 is cancelled.
2. The tenancy between the Landlord and the Tenant is terminated. The Tenant must move out of the rental unit on or before February 13, 2026.
3. If the unit is not vacated on or before February 13, 2026, then starting February 14, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
4. 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 14, 2026.
5. The Tenant shall pay to the Landlord $11,139.22 **(Less any payments made by the Tenant after this application was filed on January 27, 2026).** This amount represents the rent owing up to February 2, 2026.
6. The Tenant shall also pay to the Landlord $59.43 per day for compensation for the use of the unit starting February 3, 2026, to the date the Tenant moves out of the unit.
7. If the Tenant does not pay the Landlord the full amount owing on or before February 13, 2026, the Tenant will start to owe interest. This will be a simple interest calculated from February 14, 2026, at 4.00% annually on the balance outstanding.

February 2, 2026
Date Issued

_____
Joshua Labbe
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor,
Toronto ON M7A 2G6

The Tenant has until February 12, 2026, to file a motion with the LTB to set aside the order under s. 78(9) of the Act. If the tenant files the motion by February 12, 2026, the order will be stayed and the LTB will schedule a hearing.

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 14, 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.

* Refer to the attached Summary of Calculations.

Summary of Calculation

Amount the Tenant must pay the Landlord:

Reason for amount owing	**Period**	**Amount**
Amount owing from previous order	Up to October 31, 2025	$7,451.80
New Arrears	December 1, 2025 to February 2, 2026	$3,687.42
Plus daily compensation owing for each day of occupation starting February 3, 2026		$59.43 (per day)
Total the Tenant must pay the Landlord:		$11,139.22 + $59.43 **per day starting** February 3, 2026