



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

File Number: LTB-L-105450-25-SA

LTB-L-004857-26

In the matter of: 46 CHISWELL CRES
NORTH YORK ON M2N6E1

Between: Yulia Nebykova Landlord
ARIF RAHEMTULLA

And

Helia Chini Tenants
Hashem Poyanipour

Yulia Nebykova and ARIF RAHEMTULLA (the 'Landlord') applied for an order to terminate the tenancy and evict Helia Chini and Hashem Poyanipour (the 'Tenants') because the Tenants did not meet a condition specified in the order issued by the LTB on October 30, 2025 with respect to application LTB-L-055058-25.

The Landlord's application was resolved by order LTB-L-105450-25, issued on January 6, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-105450-25.

This motion was heard by videoconference on February 5, 2026. The Landlord represented by Gulnara Trofimova, and the Tenants represented by Ali Golabgir, attended the hearing.

The Landlord consents to the Tenants' motion to set aside.

The parties also agree that this order resolves the Landlord's application LTB-L-004857-26. The Tenants owed the Landlord \$3,979.93 for unpaid utilities and costs to the date of this hearing.

The Tenants agree to provide the Landlord with a password for each payment made by e-transfer.

It is ordered that:

1. The motion to set aside Order LTB-L-105450-25, issued on January 6, 2026, is granted.

2. Order LTB-L-105450-25, issued on January 6, 2026, is set aside and cannot be enforced.
3. The Tenants shall pay to the Landlord \$3,979.93 as follows:
4. The Tenants shall pay to the Landlord \$1,000.00 on or before February 20, 2026.
5. The Tenants shall pay to the Landlord \$496.65 on or before March 20, 2026.
6. The Tenants shall pay to the Landlord \$496.65 on or before April 20, 2026.
7. The Tenants shall pay to the Landlord \$496.65 on or before May 20, 2026.
8. The Tenants shall pay to the Landlord \$496.65 on or before June 20, 2026.
9. The Tenants shall pay to the Landlord \$496.65 on or before July 20, 2026.
10. The Tenants shall pay to the Landlord \$496.68 on or before August 20, 2026.
11. In the event the Tenants fail to make the above said payments in full and on time, the entire balance of the amount set out in this Order will become due and payable forthwith under this Order. The Landlord shall be entitled to apply to the Board, no later than 30 days after a breach of this Order, without notice to the Tenants, for an Order terminating the tenancy and evicting the Tenants, pursuant to Section 78 of the Residential Tenancies Act, 2006.

February 13, 2026

Date Issued

Greg Joy

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.

