



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

File Number: LTB-L-000537-26-SA

In the matter of: 542 MOHAWK RD East
HAMILTON ON L8V2J6

Between: Boma Tai-Osagbemi Landlords
Shakira Tai-Osagbemi

And

Taylor Lea Ardagna Tenants
MOHAMMAD RAZAQ

Boma Tai-Osagbemi and Shakira Tai-Osagbemi (the 'Landlords') applied for an order to terminate the tenancy and evict Taylor Lea Ardagna and MOHAMMAD RAZAQ (the 'Tenants') because the Tenants did not meet a condition specified in the order issued by the LTB on June 24, 2025 with respect to application LTB-L-037974-25.

The Landlord's application was resolved by order LTB-L-000537-26, issued on January 12, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-000537-26.

This motion was heard by videoconference on February 9, 2026.

The Landlords and one of the Tenants, Mohammad Razaq (MR), attended the hearing.

Determinations:

There was a breach of the previous order

1. The Tenants failed to meet a condition specified in the order issued by the LTB on June 24, 2025 with respect to application LTB-L-037974-25. There was no dispute that the Tenants failed to pay the lawful rent owing for January 2026 on or before January 1, 2026.

The surrounding circumstances

2. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-000537-26.

3. The Landlords stated that the Tenants have failed to meet the conditions in the consent order to pay on time. They acknowledged that there are different proceedings before the LTB however the Tenants understood the order and their obligation to pay accruing rent on time. They also stated that the Tenants are in rent arrears owing since December 2025 of \$8,225.00.
4. MR stated that there have been four or five on-going hearings at the LTB so he was confused. He stated that the parties were before the LTB in January and there is another hearing scheduled for March. He also stated that he received a Sheriff's Notice and believed they had to vacate the rental unit which is why they did not pay January's rent as the Landlords are holding a last month's rent deposit. MR stated that they are leaving at the end of this month.
5. At present the Tenants are in breach of the conditions of the previous order and owe rent arrears. I was not satisfied that the Tenants were confused by multiple proceedings at the LTB. MR asserted that he did not meet the condition in the prior order as January 2026 would be their last month which would be covered by their rent deposit, yet the Tenants did not vacate the unit at the end of January. In these circumstances, I find that it would be unfair to set aside the order or delay lifting the stay.

It is ordered that:

1. The motion to set aside Order LTB-L-000537-26, issued on January 12, 2026, is denied.
2. The stay of order LTB-L-000537-26 is lifted immediately.
3. Order LTB-L-000537-26 is unchanged.

February 19, 2026
Date Issued

Lisa Del Vecchio
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.