



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

Citation: Rais v Adekoya, 2026 ONLTB 15960

Date: 2026-02-24

File Number: LTB-L-107634-25-SA

In the matter of: 1409, 8 MERCER ST
Toronto ON M5V0C4

Between: Saad Rais

Landlord

And

Oluwabunmi Adebimpe Adekoya

Tenant

Saad Rais (the 'Landlord') applied for an order to terminate the tenancy and evict Oluwabunmi Adebimpe Adekoya (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 mediated settlement signed by the parties on October 1, 2025 with respect to application LTB-L-055815-25.

The Landlord's application was resolved by order LTB-L-107634-25, issued on January 8, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-107634-25. This motion was heard by videoconference on January 26, 2026.

The Landlord and the Tenant attended the hearing.

Determinations:

1. There is no dispute that the Tenant breached the order issued on October 1, 2025 because she failed to pay the Landlord \$600.00 and the rent for December 2025 by December 1, 2025 and \$201.00 by December 5, 2025.
2. As I am satisfied that the Tenant breached the previous order, the next issue before me is whether it would be unfair in all the circumstances to grant the Tenant's motion to set aside the eviction order. For the following reasons, I find that it would be unfair to grant the Tenant's motion.
3. The arrears set out in order LTB-L-055815-25 were \$5,001.00 for the period ending September 30, 2025 and costs. While the Tenant has made some payments in compliance with the order, the balance outstanding has increased to \$6,101.00 as of the hearing date.

4. The Tenant testified that she lost her job in the first week of November 2025 and has applied for Employment Insurance (“EI”) benefits. She is waiting for EI to approve her application. Based on her calculations, she will receive \$600.00 every week and \$7,000.00 in retroactive payments.
5. The Tenant testified that she is in the last stage of the interview process for a job and does not believe she will be without employment for long.
6. The Landlord opposed the motion submitting that the Tenant has failed to pay the ongoing rent and that they are in financial stress as they cannot continue to fund their personal expenses and home along with the rental unit.
7. While the Tenant proposed that she can pay the Landlord in full by February 6, 2026, the Tenant has no confirmation that she will secure employment to afford the ongoing monthly rent or receive funds from EI to pay off the arrears. Based on the current circumstances and the fact that the Tenant has no income, I am of the view that the tenancy is not viable and it would be unfair to set aside the eviction order.
8. In the event the motion is denied, the Tenant requested that the lifting of the stay be delayed for four to six weeks. The tenancy commenced in June 2025 and the Tenant resides in the rental unit by herself.
9. Given the short tenancy and the fact that arrears are likely to continue to increase until the Tenant vacates the rental unit, I find that it would be unfair to delay the lifting of the stay for four to six weeks. However, the Landlord did not provide the Board any compelling evidence to suggest a short delay will unduly prejudice them. As such, the stay will be lifted on March 10, 2026. The Tenant is given a short extension to secure alternative housing. If the Tenant’s evidence is true and she secures the backpay from EI, the Tenant should have funds to secure another rental unit or temporary accommodations.

It is ordered that:

1. The motion to set aside Order LTB-L-107634-25, issued on January 8, 2026, is denied.
2. The stay of order LTB-L-107634-25 is lifted on March 10, 2026.
3. Order LTB-L-107634-25 is unchanged.

February 24, 2026

Date Issued

Vicky Liu

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.