



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

File Number: LTB-L-005050-26-SA

In the matter of: 3168 CABANO CRES
MISSISSAUGA ON L5M0C4

Between: Joseph Mickhail
Abdelmaseh Inas
Landlords

And

O,Neil Sherman Junior Ivey
Sabrina Theola Ivey
Tenants

Joseph Mickhail and Abdelmaseh Inas (the 'Landlords') applied for an order to terminate the tenancy and evict O,Neil Sherman Junior Ivey and Sabrina Theola Ivey (the 'Tenants') and for an order to have the Tenants pay the rent they owe because the Tenants did not meet a condition specified in the mediated settlement signed by the parties on October 3, 2025 with respect to application LTB-L-060199-25.

The Landlords' application was resolved by order LTB-L-005050-26, issued on January 26, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-005050-26.

This motion was heard by videoconference on February 26, 2026. The Landlord represented by Adam Hamdani, and the Tenant O'Neil Sherman Junior Ivey, attended the hearing.

Determinations:

1. The Tenants owed the Landlord \$13,086 in arrears and costs to the end of September 2025. With the assistance of a Board Dispute Resolution Officer, the Tenants agreed to pay the Landlords \$2,000.00 on or before the 20th day of each consecutive month beginning in October until the amount owing was paid in full. The lawful monthly rent was also to be paid on time.
2. As of the date of this hearing, the amount the Tenants owe should have been reduced to \$3,086.00. The Tenants continue to owe the Landlords \$10,779.16. The Tenants have made no payments in January or February. The Tenant testified that they currently have \$4,000.00. March rent which is due in three days is \$4,300.00.

3. The Tenants have lived in the unit for approximately 1 ½ years and they are also behind with utility payments.
4. After considering all of the circumstances, including the length of the tenancy, that the arrears have only been reduced by just of \$2,000.00, that they do not have enough money to pay March rent in full and are behind in other required payments, I find that it would be unfair to set aside order LTB-L-005050-26.

It is ordered that:

1. The motion to set aside Order LTB-L-005050-26, issued on January 26, 2026, is denied.
2. The stay of order LTB-L-005050-26 is lifted immediately.
3. Order LTB-L-005050-26 is unchanged.

March 6, 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.

