



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

File Number: LTB-L-003123-26-SA

In the matter of: 714, 642 SHEPPARD AVE E
Toronto ON M2K1B9

Between: High Park Bayview Inc. Landlord

And

Temitope Biobaku Biobaku Tenant

High Park Bayview Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Temitope Biobaku Biobaku (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 November 18, 2025 with respect to application LTB-L-068351-25-AM.

The Landlord's application was resolved by order LTB-L-003123-26, issued on January 19, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-003123-26.

This motion was heard by videoconference on March 10, 2026. The Landlord's representative Faith McGregor, and the Tenant, attended the hearing.

Determinations:

1. The Tenant owed the Landlord \$12,575.00 in arrears and costs to the end of October 2025. At the hearing held on October 29, 2025, the Tenant proposed a repayment plan where the Tenant would pay the Landlord \$1,500.00 monthly as well as rent in full and on time.
2. The Board granted relief from eviction. The Landlord did not believe the plan was reasonable. The Board found that the Tenant was unable to pay the rent temporarily but was back at work and could afford to pay \$1,000.00 monthly toward arrears.
3. The Board ordered the Tenant to pay November rent by November 20th as well as ongoing rent in full and on time. The Tenant was also ordered to pay \$1,000.00 on or before the 20th day of each month from November 2025 until the balance was paid in full.
4. The Landlord notes that the Tenant has been before the Board on multiple occasions including an application in 2023 where the Tenant owed the Landlord over \$11,000.00.

The Landlord introduced a ledger which shows that since order LTB-L-068351-25 was issued, the Tenant was late with every payment the Tenant was ordered to make. The amount the Tenant owes the Landlord would have been reduced by \$4,000.00 if the Tenant had complied with the conditions of the order. The amount the Tenant has paid toward arrears of rent has reduced the amount by \$1,231.45. The Tenant continues to owe the Landlord \$11,343.55.

5. The Tenant argued that she made another payment toward rent the day before this hearing, which is 9 days after the rent was due, continuing the pattern of late payments. The Landlord could not confirm a payment. Despite this payment that the Tenant testified she made, the Tenant is both late with every payment and well behind the order where the Board granted conditional relief from eviction.
6. The Tenant's set aside motion and testimony at the hearing claims that the Tenant incurred unexpected dental expenses. There was no evidence to support this claim. The Tenant also testified that she has applied for rent assistance and will receive a tax refund. There was no evidence to support either of these claims.
7. After considering all of the circumstances, including the multiple breaches of the order and the multiple times the Landlord has brought the Tenant before the Board, I find that it would be unfair to set aside order LTB-L-003123-26 and continue this tenancy.

It is ordered that:

1. The motion to set aside Order LTB-L-003123-26, issued on January 19, 2026, is denied.
2. The stay of order LTB-L-003123-26 is lifted immediately.
3. Order LTB-L-003123-26 is unchanged.

March 17, 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.

