



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-107059-25

In the matter of: 316, 11 BERGAMOT AVE
ETOBICOKE ON M9W1W3

Between: Pinedale Properties Ltd. Landlord

And

Olayemi Akeem Odebode Tenants
Oladiti Jimoh

Pinedale Properties Ltd. (the 'Landlord') applied for an order to terminate the tenancy and evict Olayemi Akeem Odebode and Oladiti Jimoh (the 'Tenants') because the Tenants did not pay the rent that the Tenants owes.

This application was heard by videoconference on March 3, 2026.

The Landlord's Representative Kundai Govereh and the Tenant Olayemi Akeem Odebode attended the hearing.

Determinations:

1. The Landlord served the Tenants with a valid Notice to End Tenancy Early for Non-payment of Rent (N4 Notice). The Tenants did not void the notice by paying the amount of rent arrears owing by the termination date in the N4 Notice or before the date the application was filed.
2. As of the hearing date, the Tenants was still in possession of the rental unit.
3. The lawful rent is \$2,165.13. It is due on the 1st day of each month.
4. Based on the Monthly rent, the daily rent/compensation is \$71.18. This amount is calculated as follows: \$2,165.13 x 12, divided by 365 days.
5. The Tenants has paid \$2,120.61 to the Landlord since the application was filed.
6. The rent arrears owing to March 31, 2026 are \$6,582.51.
7. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.

8. The Landlord collected a rent deposit of \$1,957.87 from the Tenants and this deposit is still being held by the Landlord. The rent deposit can only be applied to the last rental period of the tenancy if the tenancy is terminated.
9. Interest on the rent deposit, in the amount of \$6.98 is owing to the Tenants for the period from January 1, 2026 to March 3, 2026.
10. The Landlord is seeking a standard order terminating the tenancy, with an eviction date 11 days from the date of this order.
11. The Tenant is seeking to preserve the tenancy and requested a repayment plan in the amount of \$500.00 per month until the arrears are paid in full.
12. The Tenant testified that his monthly income including the child tax credit for his 2 children is \$3,600.00 per month and that they are willing to lower their monthly expenses to be able to pay the arrears.
13. The Landlord did not consent to the payment plan as their position is that the Tenants' income did not support the repayment plan.
14. Balancing the interests and prejudices to each of the parties, I find that the repayment of the arrears by way of the Tenants' proposed payment plan is reasonable based on their circumstances. This will allow the Tenants' housing to be preserved, and repayment can be made with prejudice to the Landlord alleviated by allowing the Landlord to apply to the Board for termination of the tenancy without further notice to the Tenant in the event the Tenants fail to comply with the conditions in this Order.
15. I have considered all of the disclosed circumstances in accordance with subsection 83(2) of the *Residential Tenancies Act, 2006* (the 'Act'), and find that it would not be unfair to grant relief from eviction subject to the conditions set out in this order pursuant to subsection 83(1)(a) and 204(1) of the Act.

It is ordered that:

1. The Tenants shall pay to the Landlord \$6,818.51 which represents the amount of rent owing up to March 31, 2026, and the cost of filing the application.
2. The Tenants shall pay this amount owing to the Landlord as follows:

The Tenants shall pay to the Landlord \$500.00 on the 1st day of each month starting April 1, 2026, and continuing on until April 1, 2027 inclusive, and a final payment on May 1, 2027, in the amount of \$318.51.
3. The Tenants shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period of April 1, 2026, through to May 1, 2027, or until the arrears are paid in full, whichever date is earliest.
4. If the Tenant fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing

and the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the Act for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after March 31, 2026.

March 13, 2026
Date Issued

Brenda Mercer
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.