



Order under Section 69 Residential Tenancies Act, 2006

File Number: LTB-L-093062-25

In the matter of: 208, 30 TULLAMORE RD
BRAMPTON ON L6W1J9

Between: Tovriez Enterprises Ltd. c/o Briarlane Rental Landlord
Property Management Inc.

And

Obatare Agbatutu Tenant

Tovriez Enterprises Ltd. c/o Briarlane Rental Property Management Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Obatare Agbatutu (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was heard by videoconference on February 10, 2026.

Only the Landlord's legal representative, David Ciobotaru, and the Landlord's Agent, Catherine Bolger, attended the hearing.

Throughout the entire hearing block, the Tenant was not present or represented at the hearing although properly served with notice of this hearing by the LTB. The Landlord's legal representative submitted that the Tenant was aware of the hearing today. There was no record of a request to adjourn the hearing. As a result, the hearing proceeded with only the Landlord's evidence.

Determinations:

1. As explained below, the Landlord has proven on a balance of probabilities the grounds for termination of the tenancy.
2. The Tenant was in possession of the rental unit on the date the application was filed.

3. On October 21, 2025, the Landlord gave the Tenant an N5 notice of termination. The notice of termination contains the following allegations: the rental unit was not reasonably clean, and was not prepared for treatment for cockroach infestation.
4. The Tenant did not correct the omission within seven days after receiving the N5 notice of termination by bringing the rental unit to a state of reasonable cleanliness to prevent pest infestation. Therefore, the Tenant did not void the N5 notice of termination in accordance with s.64(3) of the *Residential Tenancies Act, 2006* (Act).
5. The Landlord incurred costs of \$186.00 for filing the application and is entitled to reimbursement of those costs.
6. The Landlord submitted that by the time of the hearing there has been an improvement in the state of cleanliness of the rental unit. As such, the Landlord requested the conditional order below. There were no other circumstances provided with respect to relief from eviction.
7. 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 tenancy between the Landlord and the Tenant continues if the Tenant meets the conditions set out below.
 - The Tenant shall report any pest activity in the rental unit to the Landlord;
 - The Tenant shall follow the instructions for pest treatment once the notice of pest treatment is received.
2. If the Tenant fails to comply with the conditions set out in paragraph 1 of this order, the Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant. The Landlord must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Tenant.
3. The Tenant shall pay the Landlord \$186.00 for the cost of filing the application.
4. If the Tenant does not pay the Landlord the full amount owing on or before March 28, 2026, the Tenant will start to owe interest. This will be simple interest calculated from March 29, 2026 at 4.00% annually on the balance outstanding.

March 16, 2026
Date Issued

Jana Rozehnal
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.