



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

File Number: LTB-L-011104-26-SA

In the matter of: 402, 191 NONQUON RD
OSHAWA ON L1G3S3

Between: CAPREIT LIMITED PARTNERSHIP Landlord

And

ESTHER ADEAGBO Tenants
TERRENCE ATTAH

CAPREIT LIMITED PARTNERSHIP (the 'Landlord') applied for an order to terminate the tenancy and evict ESTHER ADEAGBO and TERRENCE ATTAH (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 order issued by the LTB on September 3, 2025 with respect to application LTB-L-047745-25.

The Landlord's application was resolved by order LTB-L-011104-26, issued on February 10, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-011104-26.

This motion was heard by videoconference on March 17, 2026. The Landlord's representative Geoff Paine, and the Tenant, attended the hearing.

Determinations:

1. The Tenants moved into the rental unit in April 2024. The Tenant paid a first and last month rent deposit. At a hearing on August 28, 2025, the Board determined that the Tenants owed the Landlord \$8,259.96 in arrears and costs to the end of August 2025. The lawful monthly rent is \$2,193.49.
2. It was noted that this was the third time the Landlord had been to the Board for rental arrears with these tenants. The Tenants had previously obtained loans to pay the Landlord.
3. The Board granted relief from eviction on the condition the Tenants and provided a repayment plan that extended to March 2028, with payments of rent on time as well as \$200.00 on or before the 22nd day of each month for the first 24 months of the 30-month repayment plan.

4. The amount the Tenants owe the Landlord has increased to \$9,220.90. The Tenants testified that they can no longer get help from friends and that Mr. Attah has been out of work since November 2024. The Tenants are also behind with other financial obligations.
5. After considering all of the circumstances, I find that this tenancy is no longer viable and that it would be unfair to set aside order LTB-L-011104-26.

It is ordered that:

1. The motion to set aside Order LTB-L-011104-26, issued on February 10, 2026, is denied.
2. The stay of order LTB-L-011104-26 is lifted immediately.
3. Order LTB-L-011104-26 is unchanged.

March 24, 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.