



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

File Number: LTB-L-012259-26-SA

In the matter of: 2, 3 TROYER ST
BRAMPTON ON L7A4T4

Between: Olusola Akinloye Landlords
Amudat Ronke Akinloye

And

Doreen Olusholla Mavis Jones Tenants
Avril Jones

Olusola Akinloye and Amudat Ronke Akinloye (the 'Landlords') applied for an order to terminate the tenancy and evict Doreen Olusholla Mavis Jones and Avril Jones (the 'Tenants') and for an order to have the Tenants pay the unpaid utility costs they owe because the Tenants did not meet a condition specified in the order issued by the LTB on February 19, 2025 with respect to application LTB-L-069842-24.

The Landlord's application was resolved by order LTB-L-012259-26, issued on February 13, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-012259-26.

This motion was heard by videoconference on March 18, 2026.

The Landlords and the Tenants attended the hearing.

Determinations:

There was a breach of the previous order

1. The Tenants failed to meet a condition specified in the order issued by the LTB on February 19, 2025 with respect to application LTB-L-069842-24. The Tenants acknowledged that the Tenants failed to pay \$250.00 towards the outstanding utility costs by January 31, 2026, as determined in the February 13, 2026 *ex parte* order.

The surrounding circumstances

2. The Tenant Avril Jones testified that at the time the original order was issued, she was not working. She went back to work in January 2026 on modified duty and as such her employment insurance was discontinued. During this transition period her income was reduced and because of this the original order was breached by the failure to pay \$250.00 to the Landlords for outstanding utility costs.
3. At the time the original order was issued on February 19, 2025, the Tenants owed the Landlords \$3,427.54 for outstanding utility costs and the application filing fee incurred for the original application. As of the March 18, 2026 hearing date, \$1,046.77 in unpaid utility cost is owing to the Landlords.
4. The Tenants submitted the current household income could support a fresh payment plan and they requested three months to pay the amount owing to the Landlords. I canvassed the Tenants' household income and determined they could afford the monthly rent and an aggressive payment towards the outstanding utility costs that would see the amount paid by a time close to the period the Landlord had agreed to in the original order, that being April 30, 2026.
5. The Landlords were opposed to the Tenants' motion citing multiple appearances before the Board for this issue. I note this appearance was the third hearing the Landlords had to attend with respect to the unpaid utilities. The Landlords stated there has been a long line of unfulfilled promises from the Tenants and they have no confidence the Tenants would abide by a fresh conditional order. The ongoing outstanding amounts have caused financial stress to the Landlords and they would simply prefer the tenancy came to an end.
6. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-012259-26 despite the history of this issue in the tenancy. There is no doubt this is not the tenancy the Landlords bargained for with the Tenants. I am convinced the Tenants are keenly aware of this since I told them as much during the hearing. I am also convinced the Tenants are keenly aware that in order to maintain their housing, they will have to prioritize the Landlords in their financial planning. I say this because I also told them as much during the hearing. Failing to seize this final opportunity to maintain their tenancy will likely show an inability on the part of the Tenants to follow the Board's orders and an inability to understand the stakes involved.
7. Based on the submissions of the parties and the clear understanding the Tenants now have of their situation, I am satisfied that setting aside the February 13, 2026 eviction order and issuing a new, aggressive conditional order would not be unduly prejudicial to the Landlords.

It is ordered that:

1. The motion to set aside Order LTB-L-012259-26, issued on February 13, 2026, is granted.
2. Order LTB-L-012259-26, issued on February 13, 2026, is set aside and cannot be enforced.
3. The previous order issued on February 19, 2025 with respect to LTB-L-069842-24 is cancelled and replaced with the following:

4. The Tenants shall pay to the Landlords \$1,046.77 representing the arrears of utilities and costs owing up to March 18, 2026.
5. The Tenants shall pay the amount set out in paragraph 4 of this order in accordance with the following schedule:
 - a) \$250.00 on March 31, 2026.
 - b) \$300.00 on April 15, 2026.
 - c) \$300.00 on April 30, 2026.
 - d) \$196.77 on May 15, 2026.
6. Until May 31, 2026, the Tenants shall pay to the Landlord any new utility costs they are responsible for within 15 days of receiving the utility bill. For clarity, this includes all utility bills received by the Tenants on or before May 31, 2026.
7. If the Tenants fail to comply with the conditions set out in paragraph 5 and 6 of this order, the Landlords may, without notice to the Tenants, apply under section 78 of the *Residential Tenancies Act, 2006* (the Act) for an order terminating the tenancy and evicting the Tenants. The Landlords must make the application within 30 days of a breach of a condition.

March 27, 2026
Date Issued

John Cashmore
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.