



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

File Number: LTB-L-015842-26-SA

In the matter of: 309, 186 CHURCH ST E
BRAMPTON ON L6V1H3

Between: MetCap Living Management Inc. Landlord

And

Rohul Amin Khan Tenants
Navelda Akhtar
Maron Nisa Khan
Tahir Amin Khan

MetCap Living Management Inc. (the 'Landlord') applied for an order to terminate the tenancy and evict Rohul Amin Khan, Navelda Akhtar, Maron Nisa Khan and Tahir Amin Khan (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 November 14, 2025 with respect to application LTB-L-080745-25.

The Landlord's application was resolved by order LTB-L-015842-26, issued on February 27, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-015842-26.

This motion was heard by videoconference on April 9, 2026. The Landlord's representative Lavinia Volney, and the Tenant Tahir Amin Khan, attended the hearing.

Determinations:

1. This is the third set aside motion the Tenants have filed. Relief from eviction has been granted by the Board at two previous hearings.
2. At the set aside hearing held on November 6, 2025, the Tenants owed the Landlord \$12,493.06 in arrears and costs to the end of November 2025. The Board granted relief from eviction and ordered the Tenants to pay rent plus an additional \$300.00 on or before the 15th day of each month. The order provided the Tenants more than 41 months to pay the arrears.
3. Since the order was issued the Tenants have failed to pay rent for February, March and April. The amount the Tenants owe has increased to \$16,845.53, which now represents

ten month of unpaid rent. Order LTB-L-080745-25-SA-AM cautioned the Tenants that a third motion would not be looked on favourably.

4. The Tenant testified that he will be starting a new job as a cook in a fish and chips restaurant at minimum wage. The Tenant also testified that his family will lend them money. As of the date of this hearing, the family has not provided support to pay toward arrears. The Tenants currently have no money.
5. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-015842-26.

It is ordered that:

1. The motion to set aside Order LTB-L-015842-26, issued on February 27, 2026, is denied.
2. The stay of order LTB-L-015842-26 is lifted immediately.
3. Order LTB-L-015842-26 is unchanged.

April 13, 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.

