



Order under Section 21.2 of the Statutory Powers Procedure Act and the Residential Tenancies Act, 2006

Citation: KII PROPERTIES INC. v NUTAKOR, 2026 ONLTB 30237

Date: 2026-04-22

File Number: LTB-L-055015-25-RV

In the matter of: Suite #2B, 985 COXWELL AVE.
EAST YORK ON M4C3G4

Between: KII PROPERTIES INC. Landlord

And

GILBERT NUTAKOR Tenants
ABIJAH (A.J.) TYLER FACEY

Review Order

KII PROPERTIES INC. (the 'Landlord') applied for an order to terminate the tenancy and evict GILBERT NUTAKOR and ABIJAH (A.J.) TYLER FACEY (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was resolved by order LTB-L-055015-25 issued on September 17, 2025. The hearing was held on September 10, 2025. As of 1:39 p.m., the Tenants were not present or represented.

On April 1, 2026, the Representative requested a review of the order and that the order be stayed until the request to review the order is resolved.

On April 2, 2026, interim order LTB-L-055015-25-RV-IN was issued, staying the order issued on September 17, 2025.

This application was heard by videoconference on April 13, 2026. The Landlord's Agents, Chris and John Kilsouras, Represented by Bruce Parson, and the Tenants, Represented by Janis Taylor, attended the hearing.

On consent, it is ordered that:

1. The request to review order LTB-L-055015-25 issued on September 17, 2025, is granted.
2. Order LTB-L-055015-25 is cancelled and replaced with the following:
 1. The parties agree to the following facts:
 - i. The lawful monthly rent is \$1,264.00 paid on the first of each month.

- ii. Provincial funding provides an off set to the Tenants' rent of \$1,175.00 each month. The Tenants pay \$89.00 each month towards rent.
 - iii. The Landlords did not accept or cash the off-set payment, made by provincial funding, towards the rent due and owing for the month of April 2026. The Tenants agree they will reach out to the funding providing within two business days to request the off-set payment, for the month of April 2026, be made as soon as is practicable.
2. The tenancy shall be restored, and the Tenants shall be returned to possession of the rental unit on April 15, 2026, at 6:00 p.m.
 3. The Tenants shall pay to the Landlord \$1,283.00 for arrears of rent inclusive of costs according to the following schedule:

Date payment is to be made on or before	Amount to be paid towards arrears	Outstanding Balance
<i>balance owing</i>		\$ 1,283.00
April 15, 2026	\$ 210.00	\$ 1,073.00
May 1, 2026	\$ 210.00	\$ 863.00
June 1, 2026	\$ 210.00	\$ 653.00
July 1, 2026	\$ 210.00	\$ 443.00
August 1, 2026	\$ 210.00	\$ 233.00
September 1, 2026	\$ 210.00	\$ 23.00
October 1, 2026	\$ 23.00	\$ -

4. The Tenants shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period May to October 2026 or until the arrears are paid in full, whichever date is earliest.
5. The Tenants shall also pay to the Landlord the lawful monthly rent for the month of April on or before May 31, 2026.
6. If the Tenants fail to make any one of the payments in accordance with paragraphs 3, 4, or 5, of this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenants to the Landlord pursuant to paragraph 3 and 5 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenants, 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 Tenants and requiring that the Tenants pay any new arrears, NSF fees and related charges that became owing after March 30, 2026.

April 22, 2026
Date Issued

Jane Dean
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.