



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

Citation: Interrent Holdings Manager LP v Olawale, 2026 ONLTB 34870

Date: 2026-04-29

File Number: LTB-L-092415-25-RV

In the matter of: 808, 2304 Weston Rd
North York ON M9N1Z3

Between: Interrent Holdings Manager LP Landlord

and

Kudirat Kemmy Olabisi Olawale
Olayinka Adewale Tenants

Review Order

Interrent Holdings Manager LP (the 'Landlord') applied for an order to terminate the tenancy and evict Kudirat Kemmy Olabisi Olawale and Olayinka Adewale (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was resolved by order LTB-L-092415-25, issued on April 24, 2026.

On April 22, 2026, the Tenant filed a motion to void order LTB-L-092415-25. The Tenant's motion to void was denied by Member Endorsement issued on April 24, 2026.

On April 24, 2026, the requested a review of the Member Endorsement issued on April 24, 2026.

A preliminary review of the review request was completed without a hearing.

Determinations:

1. On the basis of the submissions made in the request, I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceedings.
2. The Tenant submits that the Member seriously erred in denying the Tenant's motion to void because the Tenant did make payment in full to the Landlord prior to the order being executed.
3. The Member correctly states in the endorsement that although the Tenant may have paid the full balance owing to the Landlord after the order became enforceable but before it

was executed, the Tenant was required to file an affidavit or declaration with the Board advising the Board that the full amount has been paid; and this must be done prior to execution of the order. In this case, the Tenant filed their declaration after the order was executed. Therefore, the Member did not err in denying the Tenant's motion for failing to comply with section 74(11) of the *Residential Tenancies Act, 2006* (the 'Act').

4. The Tenant submits that section 74(11) of the Act should not be interpreted rigidly. Section 74(11.1) states that if a tenant does not comply with the requirements set out in section 74(11), the Board shall refuse to accept the motion for filing. Section 74(11) precludes any such discretion for non-compliance with section 74(11). It was therefore not unreasonable nor an error for the Member not to exercise discretion to permit the motion for filing.
5. The Tenant also submits that by proceeding with execution of the order despite being aware that the Tenant had made the payments in amounts to an abuse of process. I do not agree. The order was not void as a result of those payments as they were made after the order became enforceable and the Tenant had not filed a motion to void the order. The Landlord was therefore within their right to proceed with execution of an enforceable order. It is not an abuse of process for a party to take steps they are legally entitled to.
6. For the foregoing reasons, I am not satisfied that there is a serious order or that a serious error occurred in the proceedings.

It is ordered that:

1. The request to review order LTB-L-092415-25 issued on April 24, 2026 is denied. The order is confirmed and remains unchanged.

April 29, 2026
Date Issued

Candace Aboussafy
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.