



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

File Number: LTB-L-022918-26-SA

In the matter of: 215, 15 PEACH WILLOW WAY
TORONTO ON M2J2B5

Between: CAPREIT LIMITED PARTNERSHIP Landlord

And

KIBWANA SAID JOHO Tenants
TSHOLOFELO MOTHOTHOTH

CAPREIT LIMITED PARTNERSHIP (the 'Landlord') applied for an order to terminate the tenancy and evict KIBWANA SAID JOHO and TSHOLOFELO MOTHOTHOTH (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 March 10, 2026 with respect to application LTB-L-101643-25.

The Landlord's application was resolved by order LTB-L-022918-26, issued on March 17, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-022918-26.

This motion was heard by videoconference on April 30, 2026. The Landlord's representative Jason Paine, and the Tenant Kibwana Daid Joho, attended the hearing.

The Landlord consents to the Tenant's motion to set aside. The parties agree the Tenants owe the Landlord \$9,008.05 in arrears and costs to the end of April 2026. The Tenant testified that they had paid the Landlord \$5,000.00 earlier in the week. The Landlord could not confirm the payment so it is therefore included in the order as a required payment.

At the hearing the parties consented to the following order.

On consent it is ordered that:

1. The motion to set aside Order LTB-L-022918-26, issued on March 17, 2026, is granted.
2. Order LTB-L-022918-26, issued on March 17, 2026, is set aside and cannot be enforced.
3. Order LTB-L-101643-25 is cancelled and replaced with the following:

4. The Tenants shall pay to the Landlord \$9,008.05 plus rent as follows:

- The Tenants shall pay to the Landlord the lawful monthly rent plus \$5,000.00 on or before May 1, 2026.
- The Tenants shall pay to the Landlord \$3,000.00 on or before May 20, 2026.
- The Tenants shall pay to the Landlord the lawful monthly rent of June on or before June 1, 2026.
- The Tenants shall pay to the Landlord \$1,008.05 on or before June 10, 2026.

5. In the event the Tenants fail to make the above said payments in full and on time, the entire balance of the amount set out in this Order will become due and payable forthwith under this Order. The Landlord shall be entitled to apply to the Board, no later than 30 days after a breach of this Order, without notice to the Tenants, for an Order terminating the tenancy and evicting the Tenants and for any arrears that become due after the date of this order, pursuant to Section 78 of the Residential Tenancies Act, 2006.

May 7, 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.

