



**Order under Section 78(6)
Residential Tenancies Act, 2006**

File Number: LTB-L-036619-26

In the matter of: 410, 1385 MIDLAND AVE
SCARBOROUGH ON M1P3B8

Between: 1704580 ONTARIO LIMITED O/A MERL PROPERTIES Landlord

And

ARAFA AIMAQUE Tenants
MANSOORI HASHMATULLAH

On April 27, 2026, 1704580 ONTARIO LIMITED O/A MERL PROPERTIES (the 'Landlord') applied for an order to terminate the tenancy and evict ARAFA AIMAQUE and MANSOORI HASHMATULLAH (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 24, 2026 with respect to application LTB-L-107993-25.

This application was decided without a hearing being held.

Determinations:

1. The order provides that the Landlord can apply to the LTB under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenants to terminate the tenancy and evict the Tenants if the Tenants does not meet certain condition(s) in the order.
2. The Landlord claims in the Declaration in support of the L4 application that the Tenants have not paid the first required \$100.00 payment towards the arrears due on or before April 1, 2026. However, the Landlords also claim the Tenants paid \$1,531.95 towards the arrears on March 31, 2026 which would cover the lawful monthly rent of \$1,431.95 for April 2026 plus the \$100.00 arrears payment. Therefore, it is unclear how much the Tenants paid towards the April 2026 monthly rent and the amount (if any) paid towards the arrears.
3. An endorsement was issued to the Landlord on April 28, 2026 which directs the Landlord to clarify how much the Tenants have paid towards the April 2026 monthly rent and the amount (if any) paid towards the arrears payment due by April 1, 2026, or the Landlords application will likely be dismissed. There was no response received from the Landlord.
4. It appears on the face of the L4 application that there is no breach of the prior order LTB-L-107993-25 and further clarification was not provided by the Landlord upon request from the Landlord and Tenant Board. Therefore, the L4 application is dismissed.

It is ordered that:

1. The Landlord's L4 application is dismissed.
2. The prior order LTB-L-107993-25 remains in full force and effect.

May 8, 2026
Date Issued

Kimberly Parish
Vice Chair, 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.