



**Order under Section 69
Residential Tenancies Act, 2006**

File Number: LTB-L-015656-26

In the matter of: 215, 188 FAIRVIEW MALL DR
NORTH YORK ON M2J0H7

Between: Zaki O'Naps Landlord

And

Adefolarin Aderibigbe Tenant

Zaki O'Naps (the 'Landlord') applied for an order to terminate the tenancy and evict Adefolarin Aderibigbe (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was heard by videoconference on April 28, 2026.

The Landlord Zaki O'Naps, Landlord's Legal Representative Debbesha Morris, and the Tenant Adefolarin Aderibigbe attended the hearing.

Determinations:

1. At the hearing, the Landlord sought to withdraw the application and I consented to the request. The LTB's file will therefore be closed. I advised the parties that I was uncertain whether the Tenant's section 82 issues could proceed in the absence of the L1 Application and reserved my decision on that procedural issue.
2. Upon further consideration, I find that the Tenant's section 82 issues cannot be heard absent the Landlord's L1 application. Section 82 of the Residential Tenancies Act, 2006 (the "Act") permits tenants to raise issues only within the context of a landlord's application for non-payment of rent and does not create a stand-alone application. Once the L1 Application is withdrawn, there is no longer an application before the Board upon which those issues can be adjudicated.

It is ordered that:

1. The application having been withdrawn, the LTB's file is closed.

May 13, 2026
Date Issued

Kyle Anderson
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.