



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

File Number: LTB-L-024846-26-SA

In the matter of: 27, 955 DEBRA AVE
OTTAWA ON K2C0J5

Between: Ottawa Community Housing Landlord

And

Filsan Sahal Tenant

Ottawa Community Housing (the 'Landlord') applied for an order to terminate the tenancy and evict Filsan Sahal (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the order issued by the LTB on October 18, 2024 with respect to application LTB-L-048379-24.

The Landlord's application was resolved by order LTB-L-024846-26, issued on March 31, 2026. This order was issued without a hearing being held.

On April 15, 2026, the Tenant filed a motion to set aside order LTB-L-024846-26 and they were granted an extension of time for filing their motion by the LTB.

This motion was heard by videoconference on May 26, 2026.

The Landlords' agent, Mohubo Elmi, and the Tenant's agent and son, Amir Mubarak, attended the hearing at 10:22am.

The matter had been concluded at 9:32am and was considered abandoned at that time as only the Landlord's agent had attended. They were able to get in touch with the Tenant's agent and then the parties returned to the hearing room at 10:22am to reconsider the motion.

Determinations:

There was a breach of the previous order

1. The Tenant failed to meet a condition specified in the order issued by the LTB on October 18, 2024 with respect to application LTB-L-048379-24.
2. The Tenant does not dispute that they failed to pay the lawful monthly rent by March 1, 2026 or failed to pay the \$275.00 in arrears on or before March 3, 2026.

The surrounding circumstances

3. The Landlord submits that the monthly rent is at the market rate of \$1,599.00 on the basis that the Tenant failed to submit their household income information for assessment. They are only receiving \$342.00 through OW for the Tenants and they are not receiving full rent. Even as of this motion hearing, the Tenant has still failed to submit the required documents. Additionally, even if the documents are submitted before June 1, 2026, the market rent will not be reassessed for June because they require 30 days to reconsider the subsidy. They further submit that if the Tenant does comply with submitting the required documents, then they will make efforts to support the Tenant in working along side the City to see how much they can help support them with further financial assistance.
4. The Tenant's agent submits that they just require an additional couple days to submit the paperwork requested by the Landlord. They indicated that they have spoken with OW and that OW would help support them with paying half the outstanding arrears, but they could not confirm how much or when this may be paid.
5. On this basis, both parties agreed that the motion should be denied in the instance the Tenant fails to submit the required documents as agreed. Without the market rent being adjusted, at the fault of the Tenant's failure to submit documents as required, then the ongoing failure caused prejudice to the Landlord.
6. The Landlord further indicated that they do not intend on filing with the sheriff with the stay lifted, however, they require a deadline in which the Tenant need to submit their documents for reassessment to reduce the prejudice to the Landlord.
7. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-024846-26 based on the parties consent in this regard.
8. The stay of order LTB-L-024846-26 is lifted on June 30, 2026 based on the parties joint request.

On consent, it is ordered that:

1. The motion to set aside Order LTB-L-024846-26, issued on March 31, 2026, is denied.
2. The stay of order LTB-L-024846-26 is lifted June 30, 2026.
3. Order LTB-L-024846-26 is unchanged.

June 3, 2026
Date Issued

Terri van Huisstede
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.