



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

File Number: LTB-L-024722-26-SA

In the matter of: 702, 75 THORNCLIFFE PARK DR
EAST YORK ON M4H1L4

Between: IMH POOL XX LP

Landlord

And

Niamatullah Faizi
WAGMA FAIZI
RAFATULLAH FAIZI
MOHAMMAD OZAIR FAIZI
MOHAMMAD RAFA FAIZI

Tenants

IMH POOL XX LP (the 'Landlord') applied for an order to terminate the tenancy and evict Niamatullah Faizi, WAGMA FAIZI, RAFATULLAH FAIZI, MOHAMMAD OZAIR FAIZI and MOHAMMAD RAFA FAIZI (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 May 6, 2025 with respect to application LTB-L-083823-24-RV.

The Landlord's application was resolved by order LTB-L-024722-26, issued on March 23, 2026. This order was issued without a hearing being held.

The Tenants filed a motion to set aside order LTB-L-024722-26.

This motion was heard by videoconference on June 9, 2026. The Landlord's representative Sofia Enriquez, and the Tenant Rafatullah Faizi, attended the hearing.

Determinations:

1. The Tenants owed the Landlord \$13,034 in arrears and costs to the end of April 2025. The lawful monthly rent is \$1,752.26.
2. The Tenants consented to an order that required them to pay rent in full and on time plus an additional \$1,225.00 on or before the 20th of each consecutive month. The balance of the arrears of rent were to have been completely paid by April 20, 2026.
3. As of the date of this hearing the amount the Tenants owe has doubled to \$25,997.42.

4. The Tenant testified that there have been employment issues but that they are now working. Despite the Tenant's claim that they can afford to pay rent and make payments to the arrears, in June the Tenants paid \$800.00 on June 9th which is less than half the lawful monthly rent. There were also no payments in March or April.
5. Based on the evidence before me, I find this tenancy is not viable.
6. After considering all of the circumstances, I find that it would be unfair to set aside order LTB-L-024722-26.

It is ordered that:

1. The motion to set aside Order LTB-L-024722-26, issued on March 23, 2026, is denied.
2. The stay of order LTB-L-024722-26 is lifted immediately.
3. Order LTB-L-024722-26 is unchanged.

June 15, 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.

