



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

File Number: LTB-L-035962-26-SA

In the matter of: 1416, 33 ORCHARD VIEW BLVD
TORONTO ON M4R2E9

Between: CAPREIT LIMITED PARTNERSHIP Landlord

And

GUESBEOGO ABDUL FADYL ZEBA Tenant

CAPREIT LIMITED PARTNERSHIP (the 'Landlord') applied for an order to terminate the tenancy and evict GUESBEOGO ABDUL FADYL ZEBA (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 March 23, 2026 with respect to application LTB-L-007542-26-SA.

The Landlord's application was resolved by order LTB-L-035962-26, issued on April 28, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-035962-26.

This motion was heard by videoconference on June 23, 2026. The Landlord's representative Geoff Paine, and the Tenant, attended the hearing.

Determinations:

1. This is the Tenant's third set aside motion. At a hearing on March 16, 2026, the Landlord consented to the Tenant's motion and the parties entered into a new repayment plan. The Tenant owed the Landlord \$14,635.64 to the end of March.
2. The Tenant agreed to pay rent on time, as well as \$3,000.00 on or before March 30th, \$3,000.00 on or before April 20th, and \$1,500.00 on or before the 20th of the following months.
3. The Tenant has made no payments toward rent or arrears of rent since the hearing in March. The last payment the Tenant made was in December 2025.
4. After considering all of the circumstances, including the fact that the Tenant has not made any payments to the Landlord for six months, despite the consent to the Tenant's set aside motion, I find that it would be unfair to set aside order LTB-L-035962-26.

It is ordered that:

1. The motion to set aside Order LTB-L-035962-26, issued on April 28, 2026, is denied.
2. The stay of order LTB-L-035962-26 is lifted immediately.
3. Order LTB-L-035962-26 is unchanged.

June 29, 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.