



Order under Section 21.2 of the Statutory Powers Procedure Act and the Residential Tenancies Act, 2006

File Number: LTB-L-062303-25-RV

In the matter of: Unit 601, 177 MUTUAL ST
TORONTO ON M5B2P6

Between: Myrmex Non-Profit Housing Landlord

And

Samuel Lopez Tenant

Review Order

Myrmex Non-Profit Housing (the 'Landlord') applied for an order to terminate the tenancy and evict Samuel Lopez (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or a person the Tenant permitted in the residential complex has seriously impaired the safety of any person and the act or omission occurred in the residential complex.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was resolved by order LTB-L-062303-25 issued on October 1, 2025.

On October 22, 2025, the Tenant requested a review of the order and that the order be stayed until the request to review the order is resolved.

On October 23, 2025 interim order LTB-L-062303-25-RV-IN was issued, staying the order issued on October 1, 2025.

This application was heard by videoconference on November 18, 2025.

The Landlord's agent Keerthana Shanmugam, Landlord's legal representative Hunter Stone, Tenant's legal representative Victoria Peter, and the Tenant attended the hearing.

Determinations:

1. The Tenant filed a request for review, alleging two grounds:

- They were unable to reasonably participate at the original hearing; and
- The Member committed a serious error by improperly applying section 66 of the *Residential Tenancies Act, 2006* (the "Act") to the evidence.

Serious Error – Application of Section 66

2. The Tenant alleges that the Member erred in applying section 66 of the Act. In the order, the Member terminated the tenancy after finding that the Tenant's guest seriously impaired the safety of another individual in the residential complex.

3. Section 66(1) of the Act provides:

66 (1) A landlord may give a tenant notice of termination of the tenancy if,
(a) an act or omission of the tenant, another occupant of the rental unit or a person permitted in the residential complex by the tenant seriously impairs or has seriously impaired the safety of any person; and
(b) the act or omission occurs in the residential complex.

4. To succeed on the L2 application, the Landlord was required to prove that the individual who impaired safety was permitted in the residential complex by the Tenant. While the Member analyzed the events that transpired, the order does not contain reasons addressing whether the individual was permitted by the Tenant.

5. Paragraph 5 of the order states:

"The Landlord Agent Keerthana Shanmugam attested to the allegations within the N7 notice, testifying that in their capacity as the Landlord's Property Manager they had personally seen the unidentified male exit the elevator and head towards the Tenant's unit..."

6. Paragraph 6 states:

"This was corroborated by the Landlord Witness Peter Henry, who testified in his capacity as an agent of the Landlord they were the one to attend the roof, confronting the unidentified male. They also testified to contacting the Tenant prior, but the Tenant refused to take any responsibility or return to the complex to attend to their guest."

7. Neither paragraph establishes that the Tenant permitted the individual to be on the residential complex. On the contrary, the evidence suggests the Tenant refused to take responsibility or return to deal with the situation, which may indicate the individual was not permitted by the Tenant.
8. On the basis of the submissions and the record, I am satisfied that there is a serious error in the order. The decision lacks sufficient reasons on a key statutory requirement, whether the individual was permitted by the Tenant. This aspect goes to the heart of section 66 of the Act. The omission from the order undermines the legal foundation of the termination order. This is not a matter of weighing evidence differently; it is a matter of an essential element of the statutory ground being unaddressed by the Member.
9. As I have found a serious error, it is unnecessary to address the Tenant's argument regarding their ability to reasonably participate in the original hearing.

It is ordered that:

1. The request to review order LTB-L-062303-25 issued on October 1, 2025 is granted. The order is cancelled.
2. The interim order issued on October 23, 2025 is cancelled.
3. The Board shall schedule a de novo hearing on the Landlord's L2 application.

January 6, 2026
Date Issued

Brett Lockwood
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.