



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

Citation: Villeneuve v Kenn

edy, 2026 ONLTB 1827

Date: 2026-01-07

File Number: LTB-T-068556-24-RV

In the matter of: 3, 1264 KINGSWAY
SUDBURY ON P3B2E8

Between: Yvon Villeneuve Tenant
Carole McLean

And

Robert Marty Kennedy Landlord

Review Order

Yvon Villeneuve and Carole McLean (the 'Tenant') applied for an order determining that Robert Marty Kennedy (the 'Landlord'):

- entered the rental unit illegally;
- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household;
- harassed, obstructed, coerced, threatened or interfered with the Tenant; and
- failed to meet the Landlord's maintenance obligations under the *Residential Tenancies Act, 2006* (the 'Act') or failed to comply with health, safety, housing or maintenance standards.

This application was resolved by order LTB-T-068556-24, issued on September 29, 2025.

On October 29, 2025, the Tenant requested a review of the order.

A preliminary review of the review request was completed without a hearing.

Determinations:

1. On the basis of the submissions made in the request, I am not satisfied that a serious error occurred in the proceedings or that there is a serious error in the order.
2. The September 29, 2025 Board order shows that the parties were aware of the issues to be determined during the proceedings and exercised the right to address those issues. The parties were therefore afforded procedural fairness, as described in section 183 of the Act. By identifying the summarizing the evidence and submissions that guided the presiding Board Vice Chair's decision, the order also shows that the Vice Chair properly exercised her authority under the Act by considering relevant factors to resolve the application.
3. No error therefore occurred in the proceedings.
4. Although the Tenant disagrees with the outcome, the September 29, 2025 order shows there was good cause for the Vice Chair to order the Landlord to pay the Tenant \$1,675.75 for failing to address a leak at the rental property, but to deny other claims in the Tenant's application. The order, for example, explains in detail how why the Vice Chair found that the Tenant is not entitled to the exclusive use of the property's vestibule, that the Landlord did not substantially interfere with the Tenant's reasonable enjoyment of the property, and, but for the leak, that the Landlord met their maintenance and repair obligations under the Act.
5. While I am mindful of the Tenant's review submissions that seek to address the Vice Chair's findings and conclusions, the Board's review process is not an opportunity to re-argue a matter with the hope of achieving a different result. As noted above, the Vice Chair considered the parties' evidence and submissions when making her findings. The findings are accordingly rational and not arbitrary. As the finder of fact, the Vice Chair's findings are entitled to deference.
6. It is also apparent from the order that the Vice Chair considered the Tenant's evidence and submissions when the Vice Chair concluded it was appropriate to order the Landlord to pay the Tenant a five percent abatement of rent for failing to address the leak. The Vice Chair's exercise of discretion was therefore also rational, and not arbitrary or capricious. The order finds at paragraph 37 that the area affected by the water leak was small. The Vice Chair's decision to order the Landlord to pay the Tenant a five percent abatement of rent falls in a reasonable range of outcomes, and the decision is in the circumstances entitled to deference.
7. There is therefore no error in the September 29, 2025 Board order.
8. Having not shown that an error occurred in the proceedings, or that there is an error in the September 29, 2025 Board order, the Tenant's request to review the order must be denied.

It is ordered that:

1. The request to review order LTB-T-068556-24 issued on September 29, 2025 is denied. The order is confirmed and remains unchanged.

January 7, 2026
Date Issued

Harry Cho
Vice Chair, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.