



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

Citation: Way v Wealth & Property Solutions, 2026 ONLTB 1885

Date: 2026-01-09

File Number: LTB-T-015382-25-RV

In the matter of: 301, 1010 1ST AVE A W
OWEN SOUND ON N4K4L4

Between: Holly Ann Way Tenant

And

Wealth & Property Solutions Landlord

Review Order

Holly Ann Way (the 'Tenant') applied for an order determining that Wealth & Property Solutions (the 'Landlord') collected or retained money illegally.

This application was resolved by order LTB-T-015382-25 issued on October 6, 2025.

On November 5, 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 there is a serious error in the order or that a serious error occurred in the proceeding.
2. The October 6, 2025 order explains how and why the presiding Board Member found that the rental unit is exempt from provisions in the *Residential Tenancies Act, 2006* (the 'Act') about increasing rent. The Tenant does not dispute or challenge the Member's finding. There is therefore no error in the October 6, 2025 Board order.
3. Instead, the Tenant submits that there was an error in the Board proceeding, because the Tenant did not anticipate that the Landlord would argue at the September 5, 2025 Board hearing the entire residential complex is exempt from the Act's rent increase provisions.
4. I find the Board did not err by permitting the Landlord to introduce evidence that the rental property was not used for residential occupation until March 2021. As relevant

evidence to determine the application, the Member was entitled to admit it pursuant to subsection 15(1) of the *Statutory Powers and Procedure Act*.

5. No serious error therefore occurred in the proceeding.
6. If the Tenant did not anticipate the Landlord's legal argument before the September 5, 2025 hearing date, this does not represent a reviewable error. As the applicant, the Tenant was under a duty to exercise reasonable diligence to know the issues arising from their application.
7. The Tenant's request to review the October 6, 2025 Board order must accordingly be denied.

It is ordered that:

1. The request to review order LTB-T-015382-25 issued on October 6, 2025 is denied. The order is confirmed and remains unchanged.

January 9, 2026

Date Issued

Harry Cho

Vice Chair, 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.