



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

Citation: IMH POOL XX LP v YOUNES, 2026 ONLTB 2435

Date: 2026-01-05

File Number: LTB-L-070791-24-RV

In the matter of: 2003, 71 THORNCLIFFE PARK DR
EAST YORK ON M4H1L3

Between: IMH POOL XX LP

Landlord

And

RAAD THANOON YOUNES
WAAD THANOON YOUNES
YOUNIS THANOON YOUNES

Tenant

Review Order

IMH POOL XX LP (the 'Landlord') applied for an order to terminate the tenancy and evict RAAD THANOON YOUNES, WAAD THANOON YOUNES, and YOUNIS THANOON YOUNES (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-070791-24 issued on December 11, 2025.

On January 2, 2026, the Tenant requested a review of the order.

A preliminary review of the review request was completed without a hearing. In determining this request, I reviewed the materials in the LTB's file.

Determinations:

1. The Tenant's request to review alleges that they were not reasonably able to participate in the proceeding. More specifically, the Tenant states that they were not reasonably able to attend the hearing.
2. The problem with the Tenant's request to review is that this matter was resolved on consent of the parties without a full hearing. This matter was one of a group of files directed to be heard together. A hearing was held respecting the issues common to this group of files on June 13, 17, 19, and 20, 2025. Prior to the issuance of a decision on the common issues, and prior to hearing of the individual issues, the parties consented to the order.
3. Given that the order was issued on consent, the Tenant's allegation that they were not reasonably able to participate in the proceeding is nonsensical.

4. In addition, the law is well-established that there are only a few circumstances in which a consent order can be set aside. In the case of *Belz v. Mernick* [1988] O.J. No. 3581, the Court stated only common mistake, misrepresentation, fraud or other grounds will invalidate a contract. None of these grounds are present here.
5. As a result, 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 proceedings or that the Tenant was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-L-070791-24 issued on December 11, 2025 is denied. The order is confirmed and remains unchanged.

January 5, 2026
Date Issued

Richard Ferriss
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.