



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

Citation: FRANKWARE INC. v WILSON, 2026 ONLTB 2481

Date: 2026-01-05

File Number: LTB-L-067730-25-RV

In the matter of: 5, 334 MAIN ST.
DESERONTO ON K0K1X0

Between: FRANKWARE INC. Landlord

And

NIKKI-JEAN WILSON Tenant
MATTHEW DERUCHIE

Review Order

FRANKWARE INC. (the 'Landlord') applied for an order to terminate the tenancy and evict NIKKI-JEAN WILSON and MATTHEW DERUCHIE (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-067730-25 issued on October 24, 2025.

On October 29, 2025, the Tenant, Nikki-Jean Wilson, requested a review of the order.

On October 30, 2025, interim order LTB-L-067730-25-RV-IN was issued, staying the order issued on October 24, 2025

The Tenant's request to review was heard by videoconference on November 26, 2025.

The Landlord and the Tenant who requested the review attended the hearing.

Determinations:

1. The order issued October 24, 2025, terminated the tenancy if the Tenant did not pay the amount required to void the order by November 15, 2025. The Tenant seeks to review that order.
2. A request to review may only be granted where the Board is satisfied there is a serious error in the order or the proceeding, or where a party was not reasonably able to participate in the proceeding.
3. 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 that the Tenant was not reasonably able to participate in the proceeding.

4. The Tenant submits that she did not receive the N4 notice of termination and that the Landlord's evidence regarding service was inconsistent and unreliable.
5. The Tenant submits that she did not receive the N4 notice of termination and that the landlord's evidence regarding service was inconsistent and unreliable.
6. I find that the Tenant's request to review does not identify a serious error in the order or in the proceedings. Rather, the request restates the Tenant's position on issues that were determined at the original hearing and addressed in the resulting order.
7. It is clear by paragraphs 5 through 9 of their order the Member considered the issue of service of the N4 and found the notice was served. The Member provided sufficient reasons for their finding.
8. The purpose of the review process is not to provide parties with an opportunity to present a better or different case than they did at first instance. There is nothing in the record or in the request for review to support a finding that the Member applied improper principles in assessing the evidence or that there was insufficient evidence to support the conclusions reached.
9. I would not interfere with the assessment of the evidence by the Member of first instance, who had the opportunity to observe the witnesses and hear the evidence in its totality.
10. Similarly, the Member provided sufficient reasons for exercising their discretion not to consider the issues the Tenant intended to raise under section 82 of the *Residential Tenancies Act, 2006* (the 'Act'). A Member's exercise of discretion is entitled to significant deference.
11. Having regard to the foregoing, I am not satisfied that there is a serious error in the order, that a serious error occurred in the proceeding, or that the Tenant was not reasonably able to participate in the proceeding. Therefore, the request to review is denied.

It is ordered that:

1. The request to review order LTB-L-067730-25 issued on October 22, 2025 is denied. The order is confirmed and remains unchanged.
2. The interim order issued on October 30, 2025, is cancelled. The stay of order LTB-L-067730-25 is lifted immediately.

January 5, 2026
Date Issued

Bryan Delorenzi
Member, 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.