



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

Citation: Toronto Community Housing Corporation v Davis, 2026 ONLTB 3166

Date: 2026-01-07

File Number: LTB-L-045391-25-RV

In the matter of: 1104, 2195 JANE ST
NORTH YORK ON M3M1A3

Between:	Toronto Community Housing Corporation	Landlord
And		
	Joe Davis	Tenant

Review Order

Toronto Community Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Joe Davis (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant.

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-045391-25 issued on September 29, 2025.

On January 5, 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 listened to the audio recording for this hearing.

Determinations:

Request to extend time

1. The Tenant filed this review request on January 5, 2026. The order was issued on September 29, 2025. The 30 day deadline to file a review fell on October 29, 2025. The Tenant has requested an extension of time to file the review request.
2. The Tenant's request to extend time to file the review request is granted.

Review request

3. This review request is made on the grounds of serious error and being not reasonably able to participate in the proceedings.
4. The hearing that gave rise to the order under review was held on September 24, 2025. The Tenant attended the hearing with a support person. At the hearing the parties consented to the terms that are set out in the order. The main terms of the order are that the tenancy terminates on January 31, 2026 and the Tenant will vacate the unit by that date.
5. The Tenant submits that his hearing is severely impaired and as a result he has difficulty understanding conversations. The Tenant also has severe memory issues.
6. The Tenant submits that at the hearing he could not understand what anyone was saying and he did not consent to vacate the rental unit by January 31, 2026.
7. I listened to the hearing recording. The Tenant did have problems hearing what the Member said. Whenever this happened the Tenant's support person, who was physically in the same room as the Tenant, would repeat what the Member said. At one point the Member asked, and the support person repeated, "I understand you are agreeing to vacate the rental unit by January 31st?" The Tenant responded: "I guess so, yes." At another point the Member asked, and the support person repeated "you are agreeing to leave by the end of January and pay the rent until then?" The Tenant responded: "Exactly." There is no indication on the audio recording that the Tenant was not aware of the questions that were asked or what they meant. After the questions were repeated to the Tenant by the support person, the Tenant responded appropriately. Based on the audio recording, I am satisfied that the Tenant heard what the Member said (after it was repeated by the support person) and that the Tenant consented to the terms of the order.
8. The Tenant has not explained in the review request if or how his memory issues affected his participation in the hearing or his consent to terminate the tenancy.
9. The Divisional Court has stated that "parties ought not to be easily able to revisit Board orders that have been made on consent. The effective resolution of matters that come before the Board will be greatly impaired if parties can continually seek to revisit issues that they have earlier agreed to resolve." (*Trust Construction Corporation v. McKie*, 2017 ONSC 4702)
10. Based on a review of the audio recording, I am not satisfied that there is a sufficient reason to revisit the consent order.
11. 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-045391-25 issued on September 29, 2025 is denied.
The order is confirmed and remains unchanged.

January 7, 2026

Date Issued

Renée Lang

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.