



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

Citation: Toronto Community Housing Corporation v Gardiner, 2025 ONLTB 94846

Date: 2026-01-07

File Number: LTB-L-101435-25-RV

In the matter of: 607, 675 KENNEDY RD
SCARBOROUGH ON M1K2B9

Between:	Toronto Community Housing Corporation	Landlord
And		
	Whitney Gardiner	Tenant

Review Order

Toronto Community Housing Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Whitney Gardiner (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant failed to meet a condition specified in the order issued by the Board on October 31, 2023 with respect to application LTB-L-042532-25.

This application was resolved by order LTB-L-101435-25 issued on December 10, 2025.

On January 6, 2026, the Tenant requested a review of the order.

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

Determinations:

1. The Tenant's request to review alleges that they were not reasonably able to participate in the proceeding.
2. Since order LTB-L-042532-25 on October 31, 2023 permitted the Landlord to apply to the Board without notice to the Tenant and order LTB-L-101435-25 issued on December 10, 2025 was issued without a hearing, there was no proceeding to which the Tenant was not reasonably able to participate.
3. As a result, based on 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.
4. Having said that, should the Tenant wish to dispute order LTB-L-101435-25 issued on December 10, 2025, the proper process for doing so is for the Tenant to file a Motion to Set Aside an Ex Parte Order – Form S2, which can be found at: <https://tribunalsontario.ca/lrb/forms/> under the Forms for Tenants section. The Tenant

had until December 20, 2025 to file this motion. If the Tenant wishes to file the motion after this date, the Tenant must file along with the motion a Request to Extend Time to get permission to file the motion. If the extension of time to file the motion is granted, the order will be stayed and the Board will schedule a hearing.

5. The motion to set aside an ex parte order process permits the Tenant to challenge the underlying basis of order LTB-L-101435-25 issued on December 10, 2025 and/or the appropriateness of eviction.

It is ordered that:

1. The request to review order LTB-L-101435-25 issued on December 10, 2025 is denied. The order is confirmed and remains unchanged.

January 7, 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.