



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

Citation: Tribecca Investment Corporation v Patang, 2026 ONLTB 3415

Date: 2026-01-07

File Number: LTB-L-102224-24-RV

In the matter of: 21 TUDOR GATE
NORTH YORK ON M2L1N3

Between: Tribecca Investment Corporation Landlord

And

Dewa Patang Tenant
Nadera Patang

Review Order

Tribecca Investment Corporation (the 'Landlord') applied for an order to terminate the tenancy and evict Dewa Patang and Nadera Patang (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-102224-24 issued on December 5, 2025.

On January 7, 2026, the Tenant requested a review of the order. The Tenant also filed a request to extend time to file a review.

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 as well as the audio recording for this hearing.

Determinations:

Request to Extend Time to File a Review

1. The request to extend time to file a review is granted.

Request to Review

2. The Tenant submits that a serious error occurred because the Board "proceeded on the mistaken belief that no Tenant evidence had been served or existed". The Tenant submits that had their evidence been reviewed, it would have demonstrated serious breaches of the Landlords statutory maintenance obligations under the *Residential Tenancies Act, 2006* ('the Act').

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.
4. I note that the review request is incorrect that none of the Tenant's evidence was available at the hearing. The recording and the Board's records reflect that some of the Tenant's evidence was available (DOC-6825902, DOC-5269682, and DOC-5269811). However, I find that even if there was a procedural issue resulting in some additional evidence being unavailable, it would not have changed the outcome of the hearing. This is because the evidence that was not considered all relates to the Tenant's issues not the Landlord's arrears claim. The Tenant's issues were not heard because the Tenant did not comply with an interim order to pay their rent on time. The Tenant does not allege that any serious errors were made in arriving at that conclusion, nor am I satisfied that any were made. The Board's order provides fulsome and reasonable reasons for why the Tenant's section 82 issues were not heard.
5. The Tenant submits that if their evidence was reviewed it would have demonstrated serious breaches of the Landlord's statutory maintenance obligations under the Act. What the Tenant seems to be saying is that the evidence would have supported a finding that mandatory relief from eviction applied pursuant to section 83(3)(a) of the Act because the Landlord is in serious breach of their responsibilities under the Act. In order for mandatory relief from eviction to apply because of a serious breach, the breach must still be continuing at the time the eviction application is heard (*MacNeil v. 976445 Ontario Ltd.*, [2005] O.J. No. 6362 (Ont. Div. Ct)). I have listened to the hearing recording. At approximately 00:56:30 the Board asked the Tenant whether she wanted to raise any serious and ongoing issues, and the Tenant replied that there are no current maintenance issues. As such, evidence about previous maintenance issues would not have supported a finding that mandatory relief from eviction applied.

It is ordered that:

1. The request to review order LTB-L-102224-24 issued on December 5, 2025 is denied. The order is confirmed and remains unchanged.

January 7, 2026
Date Issued

Amanda Kovats
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.