



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

Citation: Vincent v Mafe, 2026 ONLTB 4587

Date: 2026-01-15

File Number: LTB-T-015138-25-RV

In the matter of: unit 2, 491 ANGUS CAMPBELL DR
PEMBROKE ON K8A8K7

Between: Julie Vincent Tenant

And

Oluwaseyi Mafe Landlord

Review Order

Julie Vincent (the 'Tenant') applied for an order determining that Oluwaseyi Mafe (the 'Landlord') gave a notice of termination in bad faith.

This application was heard on August 21, 2025, and resolved by order LTB-T-015138-25 issued on September 18, 2025.

On September 28, 2025, the Landlord requested a review of the order and that the order be stayed until the request to review the order is resolved.

On October 8, 2025, interim order LTB-T-015138-25-RV-IN was issued, staying the order issued on September 18, 2025 and directing the matter to a review hearing.

This review request was heard by videoconference on January 7, 2026. The Tenant and the Landlord attended the hearing. The Tenant was represented by Julie Vincent and the Landlord was represented by Carson Frankum.

Determinations:

1. The order issued on September 18, 2025 grants the Tenants T5 application and orders the Landlord to pay to the Tenant \$11,568.00 in compensation plus a administrative fine to the LTB in the amount of \$15,000.00.
2. At the hearing, the Landlord argued that his mother (the intended occupant pursuant to the N12 notice served) did not move into the rental unit because of extensive damages to the rental unit caused by the Tenant. The Landlord also argued at the hearing that due to the costs of repairing the damages, that he had to re-rent the rental unit to recoup these costs.

3. The presiding Member rejected the Landlord's argument at the hearing and noted that the Landlord had not provided sufficient evidence such as photographs of the alleged damages or invoices to support the costs incurred.
4. The Landlord's request for review asserts that the order contains a serious error. At the review hearing, the Landlord's legal representative confirmed that the sole issue in the review request was with respect to the presiding Member not permitting the Landlord to present evidence relating to the photographs of the alleged damages and the contractor invoices to support the alleged repairs required.
5. As explained below, 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.
6. The Board's application record and the hearing recording confirms that the Landlord did not submit to the LTB or serve the Tenant any documentary evidence relating to the alleged damages or repairs conducted to the rental unit prior to the hearing date scheduled on August 21, 2025. Rather, these documents were only submitted after the order had been issued and when the Landlord filed their request for review.
7. Rule 19.1 of the Board's *Rules of Procedure* state that all documents, pictures and other evidence that the party intends to rely upon at a hearing must be filed with the Board and disclosed to the opposing party at least seven days prior to a hearing. Further, Rule 19.7 states that a party who fails to comply with Rule 19 may not be permitted to rely on the late submissions at the hearing.
8. In addition to the LTB's Rules, the disclosure requirements are clearly stated on the notice of hearing served to the parties in advance of the hearing.
9. I find that there was no serious error for the presiding Member to not consider the Landlord's evidence as it was not file and/or disclosed in accordance with the Board's Rules. The Member denying any late submissions is consistent with the Rule 19.7 of the Board's Rules of Procedure. Although another Member may have exercised their discretion differently to accept these late submissions, the presiding Member's decision to reject the improperly filed evidence falls within a range of possible and acceptable outcomes and is therefore entitled to deference.
10. At the review hearing the Landlord stated that he was unaware of the Board's disclosure requirements and the Landlord's legal representative further stated that the misunderstanding was due to a language barrier. In review of the hearing recording and the Board's application record, I do not find these submissions to be credible.
11. The hearing recording from the August 21, 2025 hearing confirms that the Landlord fully understood the application filed by the Tenant and the legal test to be met and communicated with the presiding Member without any difficulty. Further, the Board's records confirm that the Landlord had access to the Tribunals Ontario Portal (TOP) prior to the hearing and uploaded evidence prior to the hearing date. Although this evidence was different from the documents the Landlord now seeks to rely upon, it confirms that the Landlord understood the Board's process and was fully capable of uploading the now relied upon evidence prior to the August 21, 2025 hearing date.

12. Further, the evidence the Landlord now seeks to rely upon is dated and/or was obtained prior to the August 21, 2025 hearing date and is therefore not “fresh evidence”.
13. The evidence before me suggests that the Landlord fully understood the prior proceedings and is now seeking to reintroduce new evidence to obtain a better outcome.
14. The Board’s review process is not an opportunity for a party to re-argue a matter in the hopes of a different outcome and further I find that the Landlord not submitting crucial evidence at the prior proceedings is due to a lack of due diligence on their part. As stated by the Court in *Q Res IV Operating CP Inc. v. Berezovs’ka* [2017 ONSC 5541](#) “If parties are not diligent in dealing with legal proceedings, then they cannot demand that a Tribunal waste its resources by rehearing matters a second time. To allow this would undermine the ability of the administration of justice to deliver timely cost-effective and final orders.
15. As I am not satisfied that a serious error exists in the prior order or the proceedings, the request for review must be denied.

It is ordered that:

1. The request to review order LTB-T-015138-25 issued on September 18, 2025, is denied. The order is confirmed and remains unchanged.
2. The interim order issued on October 8, 2025, is cancelled. The stay of order LTB-T-015138-25 is lifted immediately.

January 15, 2026
Date Issued

Fabio Quattrociochi
Member, Landlord and Tenant Board

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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.