



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

File Number: LTB-L-098454-25-RV

In the matter of: Front East Room on Main Floor, 113 Pemberton Ave
North York, ON M2M1Y4

Between: Xiaofang Guo Landlord

And

Kamshad Amin Tenant

Review Order

Xiaofang Guo (the 'Landlord') applied for an order to terminate the tenancy and evict Kamshad Amin (the 'Tenant') because the Tenant, another occupant of the rental unit or a person the Tenant permitted in the residential complex has seriously impaired the safety of any person and the act or omission occurred in the residential complex.

This application was resolved by order LTB-L-098454-25 issued on January 6, 2026.

On January 8, 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 reviewed the materials in the LTB's file as well as the audio recording for this hearing.

Determinations:

1. In the review request, the Tenant submitted that the Member did not consider his circumstances under section 83 of the *Residential Tenancies Act* (2006) (the 'Act'), providing only generic language in the order for denying relief from eviction.
2. The reasons provided in the order for denying relief from eviction are brief. However, having listened to the hearing recording, I am satisfied that the order reflects the testimony the Tenant gave at the hearing. The Tenant did not disclose any circumstances at the hearing which would warrant a postponement of the eviction, despite the Member asking the Tenant multiple times. I am satisfied that the Member gave the Tenant the opportunity to present his personal circumstances. I am satisfied that the Member considered the parties' evidence and submissions when making his determinations. The Member's exercise of discretion was therefore reasonable and is entitled to deference.

3. In the review request, the Tenant submitted that, in his closing submissions, he informed the Board that he has very limited income, relying on Ontario Works. Due to insufficient hearing time, closing submissions were directed to be provided in writing per the interim order issued on December 11, 2025. The Tenant's deadline to file his closing submissions was December 22, 2025. The Tenant did not file any closing submissions.
4. In the review request, the Tenant submitted that he will be unable to find alternative accommodations before the termination date. While I am mindful of the Tenant's submissions, the Divisional Court affirmed at paragraph 27 in *So v. Canadian Mental Health Association, Toronto Branch*, 2024 ONSC 3371 (Div. Ct.) that relief from eviction under section 83 of the Act does not have a second, independent applicability at the review stage of the Board's process.
5. In the review request, the Tenant submitted that the Member erred by ordering the Sheriff to expedite the enforcement of the eviction. The ground for eviction in the application is serious impairment of safety, which falls under section 66 of the Act. Section 84 of the Act requires the Board to request the sheriff to expedite the enforcement of an order evicting a tenant due to serious impairment of safety unless the Board postpones the eviction. In this case, there was no postponement. Accordingly, the order complies with section 84 of the Act.
6. For all of the above reasons, I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceedings. The review request is denied.

It is ordered that:

1. The request to review order LTB-L-098454-25 issued on January 6, 2026, is denied. The order is confirmed and remains unchanged.

January 12, 2026
Date Issued

Kate Sinipostolova
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.