



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

File Number: LTB-L-076488-23-RV

In the matter of: 165 Ontario Street, St. Catharines, Ontario, L2R 5K4

Between: Park Place Equities 2005 Inc. Landlord

And

LD Blake Tenant

Review Order

Park Place Equities 2005 Inc. (the 'Landlord') applied for an order permitting the rent charged to be increased by more than the guideline for one or more of the rental units in the residential complex.

This application was resolved by order LTB-L-076488-23 issued on August 19, 2025

On September 15, 2025, the Tenant requested a review of the order.

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

Determinations:

1. This request for review is about an above guideline rent increase application that was resolved by way of a Written Hearing. Because this review only concerns one Tenant, a copy of this order will not be issued to the other tenant parties.
2. Based on the submissions made in the request, I am not satisfied that there is a serious error in the order.
3. The Tenant alleges there is a strong apprehension of bias because the Member's findings are hard to reconcile with the evidence.
4. An informed person, viewing the matter realistically and practically, and having thought the matter through, would not conclude that there is a reasonable apprehension of bias (*Committee for Justice and Liberty v. National Energy Board*, [1978] 1 S.C.R. 369). The Member addressed all the evidence and submission of the parties, and specifically responded to the Tenant's evidence and submissions. The Member's decision is well reasoned and supported by the evidence.

5. In the request for review, the Tenant seeks to challenge the Member's findings with respect to the eligibility of the capital expenditures. Specifically, the Tenant submits that the Member erred in finding that the Balcony Restoration was necessary.
6. The Member's findings are findings of mixed fact and law (*Emerson v. Themer*, 2007 CanLII 39884 (Div. Ct.)). The Tenant has not shown that there was no evidence to support the Member's findings or that the Member's findings are capricious or unreasonable. Invoices and contracts are part of the evidentiary record.

It is ordered that:

1. The request to review order LTB-L-076488-23 issued on August 19, 2025, is denied. The order is confirmed and remains unchanged.

January 12, 2026
Date Issued

Egya Sangmuah
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.