



**Order under Section 21.2 of the Statutory Powers Procedure Act and
s.78 of the
Residential Tenancies Act, 2006**

Citation: JAGDEV v McISSAC, 2026 ONLTB 4747

Date: 2026-01-14

File Number: LTB-L-092355-24-RV &
LTB-L-075563-25

In the matter of: 531 TEMISKAMING CRES
NEPEAN ON K2J0V8

Between: Parminder JAGDEV Landlord

And

KAREN McISSAC Tenant

Review Order

Parminder JAGDEV (the 'Landlord') applied for an order to terminate the tenancy and evict KAREN McISSAC (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-092355-24 issued on March 5, 2025.

On September 16, 2025, the Board initiated a review of the order issued on March 5, 2025, because it appeared to contain a serious error.

The Landlord also applied for an order to terminate the tenancy and evict the Tenant because the Tenant breached a term of order LTB-L-092355-24 issued on March 5, 2025.

The review request and the L4 application were heard together by videoconference on October 8, 2025.

The Landlord and the Tenant attended the hearing.

Determinations:

1. It was determined that the original order, LTB-L-092355-24 issued on March 5, 2025, contains a serious error. That error is that the Board exceeded its jurisdiction by including a section 78 clause with respect to ongoing payment of the rent on time after the arrears were fully paid, in respect of an L1 application. Payment of rent on time is not within the purview of an L1 application.
2. Consequently, I granted the Board initiated review request, and proceeded to hear the L1 application *de novo*.

3. It is undisputed that the Tenant has paid all the arrears and costs to October 31, 2025. Therefore, the L1 application has been discontinued to October 31, 2025.
4. The Landlord's L4 application, filed on September 9, 2025, alleged a breach of the original order that was related to another unlawful clause of the original order LTB-L-092355-24. That clause related to transfer of utility payments and water bills. This provision in the original order, LTB-L-092355-24 issued on March 5, 2025, was invalid because it, too, exceeded the jurisdiction of the Board for an L1 application order, which is limited to determinations about rent arrears.
5. Consequently, the Landlord's L4 application will be dismissed.

It is ordered that:

1. The Landlord's L4 application LTB-L-075563-25 is dismissed.
2. The request to review order LTB-L-092355-24 issued on March 5, 2025, is granted.
3. The order LTB-L-092355-24 issued on March 5, 2025, and interim order LTB-L-092355-24-IN issued on September 16, 2025, are both cancelled. They are replaced by the following order.
4. Application LTB-L-092455-24 is discontinued to October 31, 2025.

January 14, 2026
Date Issued

Nancy Morris
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.