



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

File Number: LTB-L-069213-25-RV

In the matter of: 3, 261 FREDERICK ST
KITCHENER ON N2H2N2

Between: Szabolcs Pall Landlords
Dubrick Property Management LTD.

And

Ginette Fetter Tenant

Review Order

Szabolcs Pall and Dubrick Property Management LTD. (the 'Landlords') applied for an order to terminate the tenancy and evict Ginette Fetter (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The Landlord also applied for an order to terminate the tenancy because the Tenant has been persistently late in paying the Tenant's rent.

This application was resolved by order LTB-L-069213-25 issued on November 12, 2025 and amended on November 18, 2025.

On January 13, 2026, the Tenant requested a review of the order.

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

Determinations:

Request to Extend Time

1. On January 13, 2026, the Tenant submitted a request to review the amended order issued by the Board on November 18, 2025. The 30-day deadline to file a review fell on December 18, 2025. The Tenant has requested an extension of time to file the review request.
2. The Tenant's request to extend time to file a review request is granted.

Review Request

3. The order under review was issued on consent of the parties after taking part in Board facilitated mediation. The order terminates the tenancy. The order shows the parties understood the consequences of their consent agreement.
4. The Tenant submits they were not reasonably able to participate in the proceedings and that the agreement she entered into does not reflect her current medical circumstances. The Tenant explains that at the time she agreed to terminate the tenancy, she did not expect to live much longer and therefore did not appreciate the long-term consequences of agreeing to terminate the tenancy. The Tenant submits her health has improved with medical treatment since the October 16, 2025 hearing and that stable housing is required for her recovery.
5. The Tenant submitted medical documents with the review request showing that beginning on November 18, 2025 she did begin receiving medical care. I accept the Tenant's health has improved since the hearing date. However, this change in circumstances after the October 16, 2025 hearing date does not establish the Tenant was not reasonably able to participate in the proceedings or that she did not have the capacity to provide her consent to the terms she did agree to. While I appreciate the Tenant may decide differently in her present circumstances, this is not a sufficient basis for review of an order issued on consent of the parties.
6. In the circumstances, I find it is appropriate to follow the Divisional Court's reasons in paragraph 6 of *Trust Construction Corporation v. McKie*, 2017 ONSC 4702 (Div. Ct.), where the Court affirmed that it is "a matter of concern that parties ought not to be easily able to revisit orders that have been made on consent. The effective resolution of matters that come before the Board will be greatly impaired if parties can continually seek to revisit issues that they have agreed to resolve."
7. Based on the submissions made in the request, I am not satisfied the Tenant was not reasonably able to participate in the October 16, 2025 or that there is sufficient reason to revisit the consent order. The Tenant's request to review the order is therefore denied.

It is ordered that:

1. The request to review order LTB-L-069213-25, issued on November 12, 2025 and amended on November 18, 2025, is denied. The order is confirmed and remains unchanged.

January 14, 2026
Date Issued

John Cashmore
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.