



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

Citation: Capri Holdings Limited v Graves, 2026 ONLTB 5960

Date: 2026-01-15

File Number: LTB-L-081128-25-RV

In the matter of: 2109, 5 CAPRI RD
ETOBICOKE ON M9B6B5

Between:	Capri Holdings Limited	Landlord
	And	
	Damian Daniel Graves	Tenant

Review Order

Capri Holdings Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Damian Daniel Graves (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-081128-25 issued on January 8, 2026.

On January 14, 2026, the Tenant requested a review of the order.

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

Determinations:

1. The hearing that gave rise to the order under review took place on December 18, 2025. The Tenant did not attend and no one attended on behalf of the Tenant. The matter proceeded based on the Landlord's evidence.
2. The Tenant submits that the order contains a serious error because it does not consider payments made by the Tenant in December 2025 prior to the hearing. It is true that these alleged payments were not considered. This is because the Member relied on the evidence given at the hearing, the Landlord did not give evidence about these payments, and the Tenant did not attend the hearing to give evidence about these payments.
3. It was not an error by the Board to not consider evidence not given at the hearing and so I am not satisfied that there is a serious error in the order.
4. The Tenant has not explained why they did not attend the hearing and did not send a representative to the hearing. I am therefore not satisfied that the Tenant was not reasonably able to participate in the hearing.

5. 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 or that the Tenant was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-L-081128-25 issued on January 8, 2026 is denied. The order is confirmed and remains unchanged.

January 15, 2026
Date Issued

Renée Lang
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.