



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

Citation: DUpont/Lansdowne Holdings Inc. v Reis, 2026 ONLTB 6396

Date: 2026-01-22

File Number: LTB-L-079657-24-RV

In the matter of: 423, 1401 DUPONT ST
TORONTO ON M6H2B1

Between: DUpont/Lansdowne Holdings Inc.

Landlord

And

Talitha Reis

Tenant

Review Order

DUpont/Lansdowne Holdings Inc. and . . (the 'Landlord') applied for an order to terminate the tenancy and evict Talitha Reis (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-079657-24 issued on December 4, 2025.

On December 4, 2025, the Tenant requested a review of the order and that the order be stayed until the request to review the order is resolved.

On December 15, 2025, interim order LTB-L-079657-24-RV-IN was issued, staying the order issued on December 4, 2025.

The review request was heard by videoconference on January 14, 2026.

The Landlord's legal representative Andrew Hyland, the Tenant and the Tenant's legal representative Elysha Roeper attended the hearing.

Determinations:

The Review Request

1. In the request to review the December 4, 2025 order, the Tenant asserts the order contains a serious error related to the last month rent deposit.
2. At the review hearing, the Landlord consented to the Tenant's review request.

The De Novo Hearing

Preliminary Issue – the Landlord's Withdrawal Request

3. The Landlord sought the Board's consent to withdraw the L1 application.
4. In considering whether to consent to a request to withdraw a matter, the Board must consider whether there is any prejudice to the parties.
5. The Tenant's representative opposed the Landlord's request stating the Tenant would be barred by time limitations related to her s.82 issues.
6. The Tenant's representative asserts the December 4, 2025 hearing Member erred in finding the Tenant did not comply with providing reasonable particulars and not permitting her to raise the issues at the hearing of the Landlord's L1 application.
7. The Tenant's representative relied on previous LTB orders SOL-17878-20, CEL-02022-21, to support the proposition, that due to the limitation period the Tenant should not be prevented from having her s.82 issues heard.
8. The Landlord's representative argues that the same reasons the Tenant's s.82 issues were denied at the previous hearing remains at issue today. The Tenant has not complied with the January 30, 2025 interim order specific to disclosure of her s.82 issues. The Landlord remains unclear as to the number and specifics related to the Tenant's issues. The Tenant has failed to properly put the Landlord on notice of the issues she intends to raise and the 134-page disclosure brief does not clarify the issues. The Tenant was ordered to provide her issues in a clear and specific manner and still has not done so.
9. The Landlord relied on LTB orders LTB-T-031923-23 and the combined LTB-T-072538-22_LTB-072558-22 to support the proposition that failure to provide specific reasons and detail may result in a Member's refusal to hear various issues.
10. The representatives were put on notice that I am not bound by other LTB orders, including my own.
11. By way of background, the parties attended a hearing on January 20, 2025. The matter was not heard for scheduling overflow and the presiding Member issued an interim order on January 30, 2025 where among other things, the Tenant was ordered to prepare and submit her s.82 issues and evidence. The parties returned to a hearing on October 8, 2025, where that presiding Member did not permit the Tenant to raise her s.82 issues. She did not comply with the January 20, 2025 interim order, did not provide the specifics of her s.82 issues and did not provide the disclosure as ordered. The Member found the Tenant's issues lacked the information necessary to allow the Landlord a fair opportunity to defend their position.
12. I note, to the date of the hearing, the Tenant has still not complied with the January 20, 2025 interim order. While the Tenant may have filed previous s.82 issues, they have already been determined to be deficient by two previous Members. I do not disagree with their determinations. The Tenant was provided with the required steps where s.82 issues are being raised and the Tenant has not taken those steps.

13. With respect to the various precedence relied on by the parties, I have reviewed the orders. I find both SOL-17878-20 and CEL-02022-21 distinguishable in that the presiding Member's found that the Tenant has complied with the requirements to advance issued under s.82 of the Act. In both cases, the Landlord was put on notice of the specifics related to the Tenant's issues.
14. But that's not what happened in the matter before me. The Tenant was well aware of the deficiencies of her claims and provided with instruction as to how to remedy the deficiencies. Even to the date of the hearing, the Tenant has not properly submitted her s.82 issues, despite the detailed instruction and support to do so.
15. I also agree with the Landlord's representative that it's not the Landlord's responsibility to guess at the Tenant's issues. While the Tenant's 134-page disclosure brief includes various communications and documents, it contains the same s.82 forms that were originally submitted by the Tenant.
16. In my view, the Tenant has had ample instruction and time to properly address her s.82 issues and has failed to do so. It is therefore reasonable to consent to the Landlord request to withdraw the L1 application.
17. This order contains all of the reasons for the decision within it. No further reasons shall be issued.

It is ordered that:

1. The request to review order LTB-L-079657-24 issued on November 4, 2025 is granted.
2. The interim order issued on December 15, 2025 is cancelled.
3. The order LTB-L-079657-24 issued on November 4, 2025 is cancelled and replaced with the following order.
4. The Landlord's application is dismissed as withdrawn.

January 22, 2026
Date Issued

Dana Wren
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.