



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

Citation: Bielby v Lamothe, 2026 ONLTB 6774

Date: 2026-01-19

File Number: LTB-L-023607-25-RV

In the matter of: 53 Randolph
Welland ON L3B4C3

Between: Lynda Bielby Landlord

And

Dean Lamothe Tenants
Patricia Antoniou

Review Order

Lynda Bielby (the 'Landlord') also applied for an order requiring Dean Lamothe and Patricia Antoniou (the 'Tenants') to pay the Landlord's reasonable out-of-pocket expenses that are the result of the Tenant's failure to pay utility costs they were required to pay under the terms of the tenancy agreement.

This application was resolved by order LTB-L-023607-25 issued on November 27, 2025.

On December 2, 2025, the Tenant, Patricia Antoniou, requested a review of the order and that the order be stayed until the request to review the order is resolved

On December 3, 2025, interim order LTB-L-023607-25-RV-IN was issued, staying the order issued on November 27, 2025

The Tenant's request for review was heard by videoconference on December 17, 2025.

The Landlord and the Tenants attended the hearing.

Determinations:

1. The order issued November 27, 2025, found both Tenants joint and severally liable for the unpaid utility bills. The Tenant, Patricia Antoniou, seeks to review the order.
2. 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 that the Tenants were not reasonably able to participate in the proceeding.

3. There is no dispute that at the hearing held on October 1, 2025, the presiding Member made an oral determination indicating that PA would be removed as a party to the application.
4. However, when the order was issued the Member reconsidered her decision and found both Tenants were liable for the arrears. The Member provided detailed reasons for her reversal in paragraphs 5 and 6 of their order.
5. However, prior to issuing the final written order, the Member reconsidered that preliminary determination and concluded that both Tenants were jointly and severally liable for the unpaid utility charges. The Member provided detailed reasons for this conclusion in paragraphs 5 and 6 of the order.
6. In my view, it is not an error for a Member to reconsider and reverse an oral or preliminary determination before issuing a final written order. The written reasons demonstrate a careful and reasoned analysis of the relevant facts and applicable law.
7. In this case PA severed her interest in the joint tenancy effective February 24, 2025, pursuant to an N15 notice of termination. Section 47(2)(6) of the *Residential Tenancies Act, 2006* (the "Act") provides that a tenant who severs their interest in a joint tenancy remains liable for any breach of their obligations arising prior to the termination.
8. The Member found that the unpaid utility charges related to the period between February 1, 2024, and January 31, 2025, when PA was a joint tenant. The Member's analysis in paragraph 6 of the order is consistent with section 47(2)(6) of the Act, and I find that analysis to be correct.
9. The Tenant's submission that a different application form should have been used does not establish a serious error. The Board has jurisdiction to amend or proceed with an application where the substance of the claim is properly before it and no prejudice results.
10. In paragraph 6 of the order, the Member specifically addressed the Board's jurisdiction under section 87 of the Act to make an order for payment against a former tenant. I see no basis to interfere with those findings.
11. I also do not find that the Member's reconsideration of her preliminary determination resulted in procedural unfairness. The relevant submissions were before the Board, and the requesting Tenant did not attend the hearing and does not claim that she was not reasonably able to participate in the proceeding.
12. The fact that the other Tenant attended the hearing on her behalf, and she is dissatisfied with the outcome, is not a basis for which the Board would grant a request to review.
13. The request to review largely restates arguments that were made, or could have been made, at the original hearing. Disagreement with the outcome or the Member's reasoning is not a basis for review. The review process is not an opportunity to re-argue the case or to seek a different result.
14. Having regard to the foregoing, I am not satisfied that there is a serious error in the order, that a serious error occurred in the proceeding, or that the requesting Tenant was not

reasonably able to participate in the proceeding. Therefore, the request to review is denied.

It is ordered that:

1. The request to review order LTB-L-023607-25 issued on November 27, 2025 is denied. The order is confirmed and remains unchanged.
2. The interim order issued on December 3, 2025, is cancelled. The stay of order LTB-L-023607-25 is lifted immediately.

January 19, 2026
Date Issued

Bryan Delorenzi
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.