



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

Citation: BROADWAY PROPERTIES IROQUOIS LIMITED v YATES, 2026 ONLTB 6999

Date: 2026-01-19

File Number: LTB-L-084846-25-RV

In the matter of: 43 BROADWAY CRESCENT
IROQUOIS ON K0E1K0

Between:	Broadway Properties Iroquois Limited	Landlord
	And	
	Jenna Yates	Tenant

Review Order

Broadway Properties Iroquois Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Jenna Yates (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-084846-25 issued on December 22, 2025.

On January 16, 2026, the Tenant requested a review of the order.

A preliminary review of the review request was completed without a hearing. In determining this request, I reviewed the materials in the LTB's file as well as the audio recording for this hearing.

Determinations:

1. The Tenant submits the December 22, 2025 order contains a serious error because the Landlord claimed no payments were made since the application was filed while the Tenant states she paid \$500.00 on November 1, 2025 and \$703.00 on November 28, 2025.
2. The \$500.00 payment was acknowledged and accounted for by the Landlord. The recording and the ledger provided by the Landlord shows this payment was deducted from outstanding water and sewer charges the Tenant owes. The recording does not show the Tenant designated this payment as being towards the rent arrears and the Landlord was therefore free to apply the payment to utility costs owing.
3. Paragraph 9 of the order also confirms the Tenant did not dispute the amount of rent arrears owing. The Board's review process is not an opportunity to change the way a case was presented in the hopes of achieving a different outcome.

4. In addition, the November 28, 2025 payment of \$703.00 was made after the hearing took place on November 24, 2025. It was therefore not an error for the Member to not consider evidence not before him. The review process is not an opportunity to provide updates after the hearing has taken place with the goal of having the Board's order revisited.
5. The Tenant submits the Board's should have granted the payment plan she proposed. The order under review and the hearing recording show the Member spent significant time going over the Tenant's financial circumstances as was ultimately not convinced a conditional order was appropriate. This is a discretionary finding and will not be interfered with on review unless the Member has improperly exercised this discretion.
6. Paragraphs 9, 10 and 11 of the order provide sufficient reasons showing the Member took the Tenant's income and expenses into account as well as the lack of payments towards the arrears of rent. The Member also notes the Tenant's was unaware of additional liabilities involving unpaid utilities. Here, the Member considered relevant factors in reaching their conclusion that conditional relief from eviction was not appropriate. While the Tenant clearly disagrees with the Member's exercise of discretion, it does fall within a reasonable range of outcomes and is entitled to deference. While a different Member may have exercised their discretion differently, this is not grounds for review.
7. 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. As such, the Tenant's review request is denied.

It is ordered that:

1. The request to review order LTB-L-084846-25 issued on December 22, 2025 is denied. The order is confirmed and remains unchanged.

January 19, 2026
Date Issued

John Cashmore
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.

