



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

Citation: Jelinek v Parisi-Roman, 2026 ONLTB 11268

Date: 2026-02-02

File Number: LTB-L-092404-25-RV

In the matter of: MAIN FLOOR, 184 CEDRIC AVE
TORONTO ON M6C3X8

Between: IRA Jelinek Landlord

And

Emily Parisi-Roman Tenant

Review Order

IRA Jelinek (the 'Landlord') applied for an order requiring Emily Parisi-Roman (the 'Tenant') to pay the rent that the Tenant owes.

This application was resolved by order LTB-L-092404-25 issued on January 20, 2026.

On January 30, 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. 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.
2. The review request states the order under review contains an error because it identifies the proceedings as concerning eviction and arrears of rent when eviction was not in issue. The Tenant is correct that the Landlord's application was an L9 application and that such an application does not involve termination of the tenancy. In my view, this error is clerical in nature and does not amount to a serious error that has the potential to change the outcome of the proceedings.
3. The Tenant also submits that the order incorrectly states she was not present for the hearing. The order does state this, right below the portion of the order that shows the Landlord and the Tenant both attended the hearing. The hearing recording and the body of the order confirms the Tenant was present and that the Member considered the Tenant's submissions. I find this is also a clerical error that does not have the potential to change the outcome of the proceedings.

4. The Tenant submits the order contains a serious error because it finds the Tenant did not pay the rent for the period between November 1, 2025 and December 31, 2025. This is not what the order says. Paragraph 2 of the order under review finds:

The Tenant did not pay **the total rent they were required to pay** for the period from November 1, 2025 to December 31, 2025.

5. It was not disputed at the hearing that the Tenant vacated the rental unit on November 28, 2025, without giving the Landlord the 60 days notice required under section 44 of the *Residential Tenancies Act, 2006* (the Act). The presiding Member correctly concludes in paragraphs 5 and 6 of the order that in accordance with section 88 of the Act, the Landlord is entitled to claim rent arrears to December 31, 2025.
6. The order and the recording also shows the Tenant sought an abatement of rent because of issues in the tenancy. Paragraph 11 of the order explains the Tenant had not submitted any issues they intended to raise under section 82 in advance of the hearing. The Member exercised their discretion and declined to hear these issues, finding the Tenant's explanation for finality to disclose these issues in advance was inadequate. The recording and the order shows the Member's exercise of discretion was not unreasonable.
7. The order under review finds the Tenant has not made any payments to the Landlord since the application was filed. The Tenant submits in her review request she had paid the Landlord \$100.00. The Tenant did not state this at the hearing and it was therefore not an error for the Member to not consider evidence the Tenant failed to provide. The Board's review process is not an opportunity to provide additional evidence that could have been provided at the hearing, in the hopes of achieving a different outcome.
8. The order correctly calculates the monthly rent charged for November and December 2025 as \$5,200.00. The order also deducts the rent deposit of \$2,500.00 and interest owing on the rent deposit in the amount of \$194.35 from the total amount owing. The order adds \$186.00 to the remaining amount owing which represents the Landlord's application filing fee. The total the Tenant is required to pay to the Landlord is \$2,691.65 which is the correct calculation based on the evidence presented.
9. While the Tenant disagrees with the amount the order requires her to pay, this does not amount to a serious error in the order nor is it good cause for review. Having not shown there is a serious error in the order or that a serious error occurred in the proceedings, the Tenant's request for review is denied.

It is ordered that:

1. The request to review order LTB-L-092404-25 issued on January 20, 2026 is denied. The order is confirmed and remains unchanged.

February 2, 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.