



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

File Number: LTB-L-086988-25-RV

In the matter of: A, 94 ASCOT AVE
TORONTO ON M6E1E9

Between: Ashok Charles Landlord

And

Heather Vezina Tenant

Review Order

Ashok Charles (the 'Landlord') applied for an order to terminate the tenancy and evict Heather Vezina (the 'Tenant') because the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant. The Landlord also applied for an order requiring Heather Vezina (the 'Tenant') 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-086988-25 issued on January 29, 2026.

On January 29, 2026, the Landlord 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.

Determinations:

1. The Landlord alleges there is a serious error in the Board order issued January 29, 2026 (the "Order"), whereby the member dismissed the Landlord's L2/N5 application and monetary claim for utility compensation.
2. By way of background, the lease agreement ("Lease") signed by the parties provides that the Tenant is required to pay 35% of the utility charges "*once the landlord emails a copy of the house hydro bill to the Tenant*" [emphasis added]. Although the Landlord did not provide the Tenant with a complete copy of the utility bill, the Landlord did provide the Tenant with a "*screenshot of the utility account summary*".

3. The member ultimately dismissed the Landlord's application on the basis the Landlord had not provided the full utility bills to the Tenant, nor were they produced at the hearing. The RTR alleges the member erred doing so.
4. A plain reading of the Lease requires that the Landlord give the Tenant "*a copy of the hydro bill*". Here, the Order shows the member considered the Landlord's more limited "summary" documentation, however the member noted that "*without the full utility bills, I am unable to verify the accuracy of the amounts claimed or determine whether the charges related actual electricity consumption during the relevant period.*" Ultimately, the Order shows the Member was not convinced the Landlord had proven their utility/substantial interference claim on a balance of probabilities, absent production of the full utility invoice which (i) appears to have been contemplated in the Lease; and, which (ii) presumably would have provided confirmation of dates and nature of charges...etc.
5. While it is clear the Landlord disagrees with the member's findings, the purpose of the review process is not to provide parties with an opportunity of relitigating the issues in the hopes of a better outcome. Moreover, a request will not be granted simply because a review adjudicator might have come to a different conclusion about the evidence. In the circumstances, I find the member provided sufficient reasons (with respect to the relevant issues), which also appear to be rationally connected to the evidence adduced. I would thus not interfere with the assessment of the evidence by the hearing member, who was in the best position to assess the evidence and had the benefit and opportunity of hearing the evidence in its totality.
6. As I am not satisfied that there is a serious error in the order or the proceedings, the RTR is denied.

It is ordered that:

1. The request to review order LTB-L-086988-25 issued on January 29, 2026 is denied. The order is confirmed and remains unchanged.

February 2, 2026
Date Issued

Peter Nicholson
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.