



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

Citation: Conroy v Pitcher, 2026 ONLTB 11389

Date: 2026-02-02

File Number: LTB-T-091166-23-RV

In the matter of: 3498 Shadow Creek Road
Severn ON L3V0V8

Between: Tamara Conroy Tenant

And

Jeffery Pitcher Landlord
Mulberry Real Estate Corporation

Review Order

Tamara Conroy (the 'Tenant') applied for an order determining that Jeffery Pitcher and Mulberry Real Estate Corporation (the 'Landlord') :

- entered the rental unit illegally.
- substantially interfered with the reasonable enjoyment of the rental unit or residential complex by the Tenant or by a member of their household.
- harassed, obstructed, coerced, threatened or interfered with the Tenant.
- withheld or interfered with their vital services or care services and meals in a care home.

This application was resolved by order LTB-T-091166-23 issued on November 7, 2025.

On November 20, 2025, 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 listened to the audio recording for this hearing.

Determinations:

1. The Tenant submits that she was not permitted to call her witnesses at the hearing. I listened to the hearing recording. After giving her testimony, the Tenant stated that she had one witness who had been in the room with her while she was testifying. The Member pointed out that this is a problem because the witness may tailor their testimony either wittingly or unwittingly. The Tenant then stated that she did not really need her witness because he would just repeat some of her testimony. The Member made it clear that the Tenant could call her witness; the Member would just have to give the witness'

testimony less weight in the circumstances. Given the foregoing, I am not satisfied that the Tenant was not permitted to call any witness.

2. The Tenant submits that the Landlord was permitted to give irrelevant evidence. None of the irrelevant evidence given by the Landlord is mentioned in the order. I am therefore not satisfied that the Member erred by relying on irrelevant evidence.
3. The Tenant complains about what she perceives to be an unreasonable delay between the processing and determination of her application. That it took two years from the filing of the application to the issuance of the order is not a serious error. As noted by the Tenant in the review request, this delay was addressed by a complaint to the Ombudsman.
4. The Tenant submits that Remedy 5 on her application was not addressed. The Member was not satisfied that the Tenant had made out any of the grounds in her application and so it was proper for the Member not to consider any of the remedies claimed in the application.
5. The Tenant states that a critical part of her harassment claim was the Landlord's installation of security cameras on the property. The Tenant does not identify any error regarding this issue. I note that the Tenant's application does not mention a breach of privacy due to security cameras.
6. The Tenant submits that the Member erred by ignoring some of the Tenant's evidence. The evidence in question is a video that refutes one of the Landlord's claims and other evidence (the Tenant does not state whether this is testimony or a document) that demonstrates that the Landlord altered a PDF file of text messages. The order does not mention the claim that the Tenant's video allegedly refutes and it appears that this video evidence would be irrelevant to the issues in the application. The Tenant has not given sufficient details to ascertain to which PDF file she refers or what evidence she gave that demonstrates it was altered. I therefore cannot determine if this evidence would have been material to the outcome of the proceedings and so I am not satisfied that it was an error to disregard it.
7. The Tenant submits that at the hearing she raised concerns about the Landlord's witnesses because they are all people who depend upon the Landlord for their livelihoods. The order does not mention the Tenant's concerns, but the order also does not mention any testimony given by the Landlords' witnesses. The Member made her determinations on the basis of the Landlord's own testimony and not on the basis of any of these other witnesses' testimony, so any concerns the Tenant has about these other witnesses is moot.
8. The Tenant submits that she received a copy of a police report on a date between the two hearings and because of the timing of her receipt of the report, she was unable to submit it as evidence. There is no indication in the review request or in the order that the Tenant attempted to introduce this evidence, so I am not satisfied that the Member erred by refusing to allow it. The Member's direction on the adjournment sheet after the first

day of hearing indicates no further documentary evidence may be filed by either party. This was a reasonable procedural direction given the stage of the proceedings (the respondent Landlord was mid-way through presenting his evidence in chief). If the Tenant believed that she ought to be permitted to present this newly acquired police report at the second hearing despite this direction (which is implied in the review request), the Tenant should have made a request to submit it and given submissions about why it should be accepted out of order. Further, the Tenant has not filed a copy of this police report or given any information about its contents and so I am not satisfied that it would have been material to the outcome of the proceedings if it had been admitted and considered. For the reasons above, I am not satisfied that the Member erred by not accepting/considering this evidence.

9. 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 or that the Tenant was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-T-091166-23 issued on November 7, 2025 is denied. The order is confirmed and remains unchanged.

February 2, 2026
Date Issued

Renée Lang
Vice Chair, Landlord and Tenant Board

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