



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

Citation: Kerr v Roswell, 2026 ONLTB 11936

Date: 2026-02-03

File Number: LTB-L-002682-26-RV

In the matter of: 658 County Rd # 5
Picton ON K0K2T0

Between: Susan Kerr Landlords
Ronald Kerr

And

Nate Roswell Tenants
Jade Grover

Review Order

Susan Kerr and Ronald Kerr (the 'Landlords') applied for an order to terminate the tenancy and evict Nate Roswell and Jade Grover (the 'Tenants') and for an order to have the Tenants pay the rent they owe because the Tenants failed to meet a condition specified in the order issued by the Board on November 10, 2025 with respect to application LTB-L-102412-25.

This application was resolved by order LTB-L-002682-26 issued on January 19, 2026. The Landlords' application was dismissed without a hearing.

On February 2, 2026, the Landlords 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. On the basis of the submissions made in the request, I am not satisfied that there is a serious error in the order.
2. The review request submits that the Board Member erred by dismissing the L4 application without considering that it included a section 78 clause.
3. The Landlords have filed two L4 applications. The first L4 application was with respect to order LTB-L-073871-25-SA, issued November 10, 2025. This application was resolved by order LTB-L-102412-25, issued December 9, 2025, granting eviction pursuant to section 78 of the Act.

4. This second L4 application states that the breach is with respect to LTB-L-102412-25 and attaches order LTB-L-073871-25-SA.
5. Order LTB-L-102412-25 is an ex-parte order resulting from the Landlords' first L4 application. Order LTB-L-102412-25 does not contain a section 78 clause, and the Landlords referred to the wrong order. Therefore, it was reasonable for the Board Member to dismiss the Landlords' second L4 application.
6. Accordingly, I am not satisfied that there is a serious error in the order.

It is ordered that:

1. The request to review order LTB-L-002682-26 issued on January 19, 2026 is denied. The order is confirmed and remains unchanged.

February 4, 2026
Date Issued

Mayra Sawicki
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.