



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

File Number: LTB-L-081119-25-RV

In the matter of: 1009, 55 WARRENDER AVE
ETOBICOKE ON M9B0C7

Between: The Kipton Co-Tenancy Landlord

And

Chantal Louisy Tenant
Gregory Andre Gayle

Review Order

The Kipton Co-Tenancy (the 'Landlord') applied for an order to terminate the tenancy and evict Chantal Louisy and Gregory Andre Gayle (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-081119-25 issued on January 9, 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.

Determinations:

1. The Tenant's review request (RTR) alleges the order issued by the Board on January 9, 2026 (the "Order") contains a serious error.
2. In particular, the RTR suggests the member erred in failing to deny eviction under section 83 of the Residential Tenancies Act, 2006 (the "Act"). The Order, in this regard, shows the Tenant was present at the hearing and provided evidence/submissions under section 83 of the Act. The Tenant requests a reconsideration of the member's decision to not grant a payment plan, based upon the personal, family and employment circumstances already raised at the hearing and specifically considered by the member at paragraph 13 of the Order.
3. The Board's review process is not an opportunity for a person to re-argue a matter that has been finally concluded. Although another member may have exercised their discretion differently, the member weighed a broad range of relevant factors under section 83 including the significant arrears, the Tenant's income and the lack of any rent payment for several months. In the circumstances, the member's decision to postpone the eviction falls

within a reasonable range of outcomes. The member's exercise of discretion was therefore not capricious and is entitled to deference. As I am not satisfied there is a serious error in the Order, the review request must therefore be denied.

It is ordered that:

1. The request to review order LTB-L-081119-25 issued on January 9, 2026 is denied. The order is confirmed and remains unchanged.

February 5, 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.