



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

**Citation:** 1912802 Ontario Inc. v Klem, 2026 ONLTB 12901

**Date:** 2026-02-05

**File Number:** LTB-L-034691-23-RV

**In the matter of:** 2333 UNIVERSITY AVENUE  
WINDSOR ON N9B1E8

**Between:** 1912802 Ontario Inc. Landlord

**And**

Steven Klem Tenant  
Gillian Emery  
Evan Dos santos  
Faisal Alkheami  
Augustina Sevelka  
Kelsey Marrese  
Aidan Billing

### **Review Order**

1912802 Ontario Inc. (the 'Landlord') applied for an order requiring Steven Klem, Gillian Emery, Evan Dos santos, Faisal Alkheami, Augustina Sevelka, Kelsey Marrese and Aidan Billing (the 'Tenant') to pay the rent that the Tenant owes.

This application was resolved by order LTB-L-034691-23 issued on December 16, 2025.

On January 15, 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 as well as the audio recording for this hearing.

### **Determinations:**

1. The Landlord alleges that the order contains a serious error.
2. 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 Landlord was not reasonably able to participate in the proceeding.
3. While I agree that the order contains an error in paragraph five by stating that the cases referred to by the Landlord do not contemplate section 38(1), I do not find this to be a serious error for the reasons set out below.

4. Firstly, the cases the Landlord referred to are not binding and the Member was free to independently determine whether the automatic renewal clause in the lease contravened section 38(1).
5. Secondly, the cases the Landlord referred to do not contain lengthy or in-depth analyses of the Act. The Member was apprised of the arguments contained in the cases the Landlord wished to refer to because the Landlord put these arguments before the Member. As a result, the Member was aware of the arguments contained in the cases the Landlord referred to when they made their determinations.
6. Thirdly, the Member provides a lengthy, in-depth analysis of the Act in their order. It is highly unlikely that the Member's determinations would have been swayed by the other cases.
7. Finally, Interpretation Guideline 8 states: The LTB will not exercise its discretion to review an order interpreting the RTA unless the interpretation conflicts with a binding decision of the Courts or is clearly wrong and unreasonable. I am not aware of any binding decision of the Courts which speak to the issues under review, nor am I persuaded that the Member's order is clearly wrong or unreasonable.
8. For these reasons, the request to review is denied.

**It is ordered that:**

1. The request to review order LTB-L-034691-23 issued on December 16, 2025 is denied. The order is confirmed and remains unchanged.

**February 5, 2026**  
**Date Issued**

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Richard Ferriss  
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.