



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

**Citation:** Tariq v Benoit, 2026 ONLTB 13377

**Date:** 2026-02-09

**File Number:** LTB-L-003561-24-RV

**In the matter of:** 2288 CADILLAC ST  
WINDSOR ON N8W3Y1

**Between:** Muhammad Nadeem Tariq Landlord

**And**

Alan James Benoit Former  
Kayle Patrick Benoit Tenant

### **Review Order**

Muhammad Nadeem Tariq (the 'Landlord') applied for an order requiring Alan James Benoit and Kayle Patrick Benoit (the 'Former Tenant') to pay the rent and daily compensation that the Former Tenant owes.

The Landlord also applied for an order requiring the Former Tenant to pay the Landlord's reasonable out-of-pocket costs that are the result of the Former Tenant's failure to pay utility costs they were required to pay under the terms of the tenancy agreement.

The Landlord also applied for an order requiring the Former Tenant to pay the Landlord's reasonable out-of-pocket costs that the Landlord incurred or will incur to repair or replace undue damage to property. The damage was caused wilfully or negligently by the Former Tenant, another occupant of the rental unit or someone the Former Tenant permitted in the residential complex.

This application was resolved by order LTB-L-003561-24 issued on January 12, 2026.

On February 5, 2026, the Landlord requested a review of the order.

A preliminary review of the review request was completed without a hearing.

### **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 Landlord's application was dismissed because the Landlord did not prove that the notice of hearing and application sent by email came to the attention of the Former Tenant as required by Rule 3.3.c.ii of the Board's Rules of Procedure.
3. In the review request the Landlord provides an explanation for why they used the service method they did, that they got permission from the Board to use email as a method of service, that they do not believe they got a proper chance to follow through with the case, that they are trying to recoup their financial losses, and asks for an opportunity to try again to serve the Former Tenant.
4. The Landlord does not make clear in the review request what serious error the Board made in dismissing the application. A review is not an opportunity to reargue an application that has been finally determined. The decision to dismiss the application was an exercise of the Hearing Member's discretion and is entitled to deference. The order provides sufficient and reasonable reasons for the decision to dismiss the application. Reasonable determinations will not be interfered with on review.

**It is ordered that:**

1. The request to review order LTB-L-003561-24 issued on January 12, 2026 is denied. The order is confirmed and remains unchanged.

**February 9, 2026**  
**Date Issued**

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Amanda Kovats  
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.