



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

Citation: METCAP LIVING MANAGEMENT INC. v Delorme, 2026 ONLTB 13826

Date: 2026-02-13

File Number: LTB-L-061629-25-RV

In the matter of: 22, 3550 DOWNPATRICK RD
OTTAWA ON K1V8T4

Between: METCAP LIVING MANAGEMENT INC. Landlord

And

Jason Delorme Tenants
Kyla Costello

Review Order

METCAP LIVING MANAGEMENT INC. (the 'Landlord') applied for an order to terminate the tenancy and evict Jason Delorme and Kyla Costello (the 'Tenants') because:

- the Tenants have been persistently late in paying the Tenants' rent.

The Landlord also claimed compensation for each day the Tenants remained in the unit after the termination date.

This application was resolved by order LTB-L-061629-25 issued on October 24, 2025.

On January 16, 2026, the Tenants requested a review of the order and that the order be stayed until the request to review the order is resolved.

On January 19, 2026, interim order LTB-L-061629-25-RV-IN was issued, staying the order issued on October 24, 2025.

This request was heard by videoconference on February 9, 2026.

The Landlord's legal representative, P. Thomas, and the Tenants attended the hearing.

Determinations:

1. The Tenants filed their request to review alleging that there is a serious error in the order issued on October 24, 2025.
2. After the merits hearing on October 22, 2025, the Member issued an order evicting the Tenants and ordering them to pay compensation from the day after the termination date in the N8 notice of termination, that is from September 1, 2025.

3. The Tenants allege, and the Landlord agrees, that the Tenants vacated the rental unit on August 25, 2025, in accordance with the notice of termination, six days before the termination date in the N8 notice of termination. They allege that they do not owe the Landlord any compensation.
4. Since it is undisputed that the Tenants vacated before the termination date in the N8 notice of termination, and it is also undisputed that they did not owe the Landlord any arrears or rent, the Tenants' request for a review will be granted.
5. I find that the Landlord should have known on the date of the merits hearing, October 22, 2025, that the Tenants had vacated almost two months previously. The Landlord should have withdrawn the application before the hearing date.
6. Since I did not hear submissions on costs, I am unable to impose party costs or a Board administrative fine.

It is ordered that:

1. The request to review order LTB-L-061629-25 issued on October 24, 2025, is granted.
2. Order LTB-L-061629-25 issued on October 24, 2025, and interim order LTB-L-061629-25-RV-IN issued on January 19, 2026, are both cancelled.
3. The Landlord's application is dismissed.

February 13, 2026
Date Issued

Nancy Morris
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.