



Order under Section 21.2 of the Statutory Powers Procedure Act and Section 69 of the Residential Tenancies Act, 2006

File Number: LTB-L-075636-24-RV2-HR2

In the matter of: 315, 20 GRAYDON HALL DRIVE
NORTH YORK, ON M3A2Z9

Between: Devonshire Properties Inc Landlord

and

Hans Harry Felix Tenant

SECOND REVIEW ORDER & SECOND *DE NOVO* HEARING ORDER – ON CONSENT

Procedural History of Application

Devonshire Properties Inc (the 'Landlord') applied in a N5-based L2 application seeking an order to terminate the tenancy and evict Hans Harry Felix (the 'Tenant') because the Landlord claimed that the Tenant, someone visiting or living with the Tenant, or someone permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date provided in the notice of termination.

This application was heard by videoconference on June 26, 2025. The application was resolved by order LTB-L-075636-24 issued on July 9, 2025 (the 'L2 Order'), which terminated the tenancy effective July 31, 2025.

On July 25, 2025 the Tenant requested a review and stay of the L2 Order, claiming there were serious errors in the order.

Review interim order LTB_L-075636-24-RV-IN issued on July 28, 2025 stayed the L2 Order and directed a review hearing.

The first review hearing was conducted by videoconference on August 19, 2025. The request for review was resolved by review order LTB-L-075636-24-RV issued on August 27, 2025 (the 'First Review Order'), which granted the Tenant's request to review, cancelled the L2 Order, and replaced it with the review order which dismissed the L2 application.

On September 26, 2025, the Landlord requested a review of the First Review Order, claiming there were serious errors in the order.

The second review interim order LTB-L-075636-24-RV-IN2 was issued on October 6, 2025, directing the Landlord's request to review to a review hearing.

The second review hearing was started by videoconference on October 28, 2025 but was unable to finish. It was adjourned and I became seized. I issued the third review interim order LTB-L-075636-24-RV-IN3 on November 19, 2025.

The adjourned second review hearing was heard by videoconference on January 20, 2026. The Landlord's agent Cody Neal attended on behalf of the Landlord, with legal representatives Shelby Whittick (paralegal) and Sarah Teal (paralegal). The Tenant also attended the hearing and spoke to tenant duty counsel before the review hearing started.

Determinations:

Review Granted on Consent

1. The Tenant consented to the Landlord's request for review. The review was therefore granted.

De Novo L2 Order on Consent

2. The parties mutually agreed to resolve all matters in issue in the application and requested an order on consent. I was satisfied that the parties understood the consequences of the joint submission.

On consent of the parties, it is ordered that:

3. The L2 Order LTB-L-075636-24 issued on July 9, 2025 and the First Review Order LTB-L-075636-24-RV issued on August 27, 2025 are both cancelled, and replaced by this consent order.
4. The Landlord's L2 application for termination of the tenancy and eviction of the Tenant is denied on the conditions listed below.
5. The Landlord shall provide the Tenant with a detailed 24-hour written notice of entry (listing what work or inspection the Landlord is doing or the specifics of the work that will be done), before making any entries requiring notice.
6. The Landlord shall ensure that any notices of entry that require the Tenant to prepare the rental unit will include those specific preparation instructions within the notice.
7. The Landlord shall not provide unnecessary notices of entry or go into the rental unit needlessly.
8. For the duration of the tenancy, the parties agree that if the Landlord has provided a 24-hour notice of entry, the Tenant shall allow entry into the rental unit to the Landlord and/or the Landlord's workers, inspectors, or contractors, and the Tenant shall ensure the rental unit has been prepared according to the preparation instructions.

9. If the Tenant fails to comply with the conditions set out in paragraph 8 of this order, the Landlord may apply under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') for an order terminating the tenancy and evicting the Tenant. The Landlord must make the application within 30 days of a breach of a condition. This application is made to the LTB without notice to the Tenant.
10. Despite the statutory allowance that no notice is required to bring an application within 30 days of a breach of a condition in section 78 of the Act, the Landlord agrees to email and send a letter to the Tenant before filing any L4 application to the LTB based on an alleged breach of section 8 of this order.

February 11, 2026
Date Issued

Michelle Tan
Vice Chair, 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.