



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

**File Number:** LTB-L-065681-25-RV

**In the matter of:** 130 MAURICE CRT  
NEWMARKET ON L3Y2W2

**Between:** Zackary Carbone Landlord

**And**

Carlos Soares Tenant  
Zel Ferriera

### **Review Order**

Zackary Carbone (the 'Landlord') applied for an order to terminate the tenancy and evict Carlos Soares and Zel Ferriera (the 'Tenant') because the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year.

This application was resolved by order LTB-L-065681-25 issued on February 9, 2026.

On February 11, 2026, the Tenant requested a review of the order.

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

### **Determinations:**

1. The order grants the Landlord's application, terminates the tenancy, and provides a brief delay before doing so. The Tenant states they are not disputing the termination of the tenancy however they believe that the length of time they were given to find a new residence is insufficient. Essentially the Tenant is submitting that either the Board Member exercised their discretion unreasonably or the Tenant is seeking relief from eviction on review. On the basis of the submissions made in the request, I am not satisfied that there is a serious error in the order.
2. Orders granting relief from eviction involve an exercise of the original hearing Member's discretion and are entitled to deference. The order reflects that the Member considered the circumstances of both parties and determined that only a short postponement of the termination of the tenancy was reasonable. There are sufficient reasons explaining the result. I am not satisfied that the exercise of discretion is outside the range of reasonable results.
3. Although I am mindful of the Tenant's circumstances, the Divisional Court affirmed at paragraph 27 in *So v. Canadian Mental Health Association, Toronto Branch*, 2024 ONSC

3371 (Div. Ct.) that the discretionary power to deny or delay an eviction pursuant to section 83(1) of the Act does not have a second, independent applicability at the review stage of the Board's process. The Tenant had an opportunity at the hearing to seek relief from eviction. The purpose of a review request is not to provide relief from eviction.

**It is ordered that:**

1. The request to review order LTB-L-065681-25 issued on February 9, 2026 is denied. The order is confirmed and remains unchanged.

**February 12, 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.