



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

Citation: Rahman v McKeown, 2026 ONLTB 16208

Date: 2026-02-18

File Number: LTB-L-086028-25-RV

In the matter of: 667 TOWNLINE RD N
COURTICE ON L1E2J4

Between: Salekur Rahman Landlord

And

Alanna Mariah Helen McKeown Tenants
Jason John Miller

Review Order

Salekur Rahman (the 'Landlord') applied for an order to terminate the tenancy and evict Alanna Mariah Helen McKeown and Jason John Miller (the 'Tenants') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-086028-25 issued on January 22, 2026.

On February 18, 2026, the Tenants 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.

Determinations:

1. In the request to review the Tenants allege that the January 22, 2026 order contains a serious error relative to the quantum of rent arrears ordered. The basis of the alleged serious error is that the Tenants should not be required to pay rent for the relevant period due to alleged significant maintenance issues in the unit.
2. In the January 22, 2026 order, this issue is addressed by the Member. The Tenants' position relative to the maintenance issues is acknowledged in the order, but the hearing Member correctly wrote that she could not consider these issues raised by the Tenants because they did not serve and file a list of issues they intended to raise at the hearing pursuant to section 82 of the *Residential Tenancies Act, 2006* (the 'Act').
3. In the request to review, the Tenants submit that the tenancy has not been terminated. In effect, the Tenants are claiming the rent arrears ordered are incorrect because the Tenants believe they are entitled to a 100% rent abatement beginning June 11, 2025.

4. Tenants are not entitled to withhold rent during a tenancy in the absence of an order of the LTB entitling them to do so. Tenants are also not entitled to a rent abatement in the absence of an order of the LTB granting the abatement. The hearing Member did not have jurisdiction to hear the Tenants' issues that could have been raised under section 82 of the Act, or to grant an abatement of rent relative to those issues, because the Tenants did not serve and file a list of issues they intended to raise pursuant to section 82 of the Act.
5. As stated in the January 22, 2026 order, if the Tenants believe they are entitled to a remedy relative to these alleged maintenance issues, they can file their own application seeking such a remedy.
6. 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.

It is ordered that:

1. The request to review order LTB-L-086028-25 issued on January 22, 2026 is denied. The order is confirmed and remains unchanged.

February 18, 2026
Date Issued

Mark Melchers
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.