



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

**Citation:** MAHLE v JOHNSTON, 2026 ONLTB 16529

**Date:** 2026-02-19

**File Number:** LTB-L-074293-25-RV

**In the matter of:** 743 SIXTEEN RD  
FENWICK ON L0S1C0

**Between:** SHERRY MAHLE Landlord

**And**

ROBERT JOHNSTON Tenants  
JENNIFER RADNICS

### **Review Order**

SHERRY MAHLE (the 'Landlord') applied for an order to terminate the tenancy and evict ROBERT JOHNSTON and JENNIFER RADNICS (the 'Tenants') because:

- the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year.

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-074293-25 issued on January 27, 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 as well as the audio recording for this 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 or that a serious error occurred in the proceedings.
2. The order under review was made on consent for which the parties agreed to the terms of the order.
3. The review request submits that the order contains a serious error on the basis that the Landlord allegedly failed to remove online statements which the Tenants characterize as

slander, and which the Tenants assert formed part of the agreement reached at the hearing.

4. I listened to the hearing recording. The Landlord's representative and both Tenants were present. The order accurately reflects the terms to which the parties agreed at the hearing, including the termination date of the tenancy.
5. There was no reference in the hearing recording to any agreement requiring the removal of online statements by the Landlord.
6. It appears that the Tenants now seek to advance allegations that may fall under section 22 of the *Residential Tenancies Act, 2006*, the ("Act"). However, those issues were not properly before the Board at the hearing and were not addressed in the order issued. As such, they cannot form the basis for a review of the consent order.
7. The law is well-established that there are only a few circumstances in which a consent order can be set aside. In the case of *Belz v. Mernick* [1988] O.J. No. 3581, the Court stated only common mistake, misrepresentation, fraud or other grounds will invalidate a contract. None of these grounds are present here.
8. It further appears that the Tenants seek additional time to vacate the rental unit. A request for more time to vacate does not constitute a ground for review.
9. Accordingly, I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceedings. The review request is denied.

**It is ordered that:**

1. The request to review order LTB-L-074293-25 issued on January 27, 2026 is denied. The order is confirmed and remains unchanged.

**February 19, 2026**  
**Date Issued**

---

Mayra Sawicki  
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.