



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

Citation: CARDABIKIS v PALMER, 2026 ONLTB 16798

Date: 2026-02-20

File Number: LTB-L-102422-25-RV

In the matter of: BASEMENT, 1880 TRAFALGAR STREET
LONDON ON N5W1X6

Between: SOTIRIOS CARDABIKIS Landlord

And

JERIMIE PALMER Tenants
ASHLEY BRIERE

Review Order

SOTIRIOS CARDABIKIS (the 'Landlord') applied for an order to terminate the tenancy and evict JERIMIE PALMER and ASHLEY BRIERE (the 'Tenants') and for an order to have the Tenants pay the rent they owe because the Tenants failed to meet a condition specified in the order issued by the Board on October 28, 2025 with respect to application LTB-L-073294-25-SA.

The Landlord's application was resolved by order LTB-L-102422-25, issued on December 9, 2025. This order was issued without a hearing being held.

On December 19, 2025, the Tenants filed a motion to set aside order LTB-L-102422-25. This application was resolved by order LTB-L-102422-25-SA, issued on February 17, 2026.

On February 19, 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 or that the Tenants were not reasonably able to participate in the proceedings.
2. The hearing recording confirms the Tenant, Jerimie Palmer, was aware of the issues to be determined and exercised the right to address those issues. The Tenant for example stated that he spoke with Tenant Duty Counsel and requested more time to vacate the unit. The Tenant was therefore afforded procedural fairness.

3. The review request submits that the Member erred by failing to consider medical evidence relating to the second-named Tenant that allegedly prevented her from meaningfully participating in the proceedings, failing to consider the Landlord's refusal to accept rent payments, and by failing to name Taylor Miller as a party to the application.
4. On review of the hearing recording, the Tenant did not produce or attempt to produce any documentary evidence in support of the alleged medical issues of the second-named Tenant. The Tenant also did not provide testimony regarding the Landlord's alleged refusal to accept rent payments, nor were any concerns raised with respect to Taylor Miller being named as a party. As a result, it cannot be said that the Board Member failed to consider evidence or submissions not introduced at the hearing.
5. The opportunity to raise all issues and submit documentary evidence was at the hearing stage not at the review stage of the proceedings. The purpose of the review process is not to provide parties with an opportunity of relitigating the issues in hopes of a better outcome.
6. The Tenants have not established that a serious error exists in the February 17, 2026 order, that a serious error occurred in the February 12, 2026 proceedings, or that they were not reasonably able to participate in the hearing. The Tenants' request to review must therefore be denied.

It is ordered that:

1. The request to review order LTB-L-102422-25-SA issued on February 17, 2026 is denied. The order is confirmed and remains unchanged.

February 20, 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.