



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

Citation: Branco v Tanzola, 2026 ONLTB 17815

Date: 2026-02-25

File Number: LTB-L-082267-25-RV

In the matter of: 2, 35 HERBERT ST
KITCHENER ON N2H3R5

Between: Joao Branco Landlord

And

Anthony Tanzola Tenant

Review Order

Joao Branco (the 'Landlord') applied for an order requiring Anthony Tanzola (the 'Tenant') to pay the rent that the Tenant owes.

This application was resolved by order LTB-L-082267-25 issued on January 22, 2026.

On February 21, 2026, the Landlord requested a review of the order.

A preliminary review of the review request was completed without a hearing. In determining this request, I listened to the audio recording for this hearing.

Determinations:

1. The Landlord submits that there is a serious error in the procedure of this matter. The Tenant was permitted to submit post-hearing evidence and now the Landlord seeks to also submit post-hearing evidence. The Landlord submits that they have not been given the same opportunity as the Tenant to obtain and present information.
2. During the hearing the Tenant stated that he has proof that he paid a last month's rent deposit. The Tenant asked if he could submit it after the hearing. The Landlord did not oppose this request and the Member granted it.
3. The information/documents that the Landlord now seeks to submit relate to the Landlord's mitigation efforts after receiving the Tenant's notice to vacate the unit. At the hearing the Landlord testified that he had left his friend a set of keys so his friend could look after the property but he did not expect his friend to show the unit or enter into any tenancy agreements. The Member asked the Landlord what he did about the vacant unit after receiving the notice and at no time did the Landlord state that he had listed the unit for rent or that he had instructed anyone else to do so. The Landlord did not request an

opportunity to file post-hearing evidence and he did not state that the unit had been listed. There was no way for the Member to know that this evidence was in existence. The first time that the Landlord suggested that this evidence exists is in the review request.

4. Based on the above I am not satisfied that the Member made any error with respect to the Landlord's insufficiency of evidence to establish that he had made reasonable efforts to mitigate his losses.
5. Further, the fact that at the hearing the Tenant was given an opportunity to submit evidence after the hearing does not mandate that this matter be re-opened to allow the Landlord to also submit post-hearing evidence/submissions. The time to address the need for post-hearing submissions was at the hearing.
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-082267-25 issued on January 22, 2026 is denied. The order is confirmed and remains unchanged.

February 25, 2026
Date Issued

Renée Lang
Vice Chair, 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.