



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

Citation: 850-906 Wonderland Holdings Limited v Le Capelain, 2026 ONLTB 18519

Date: 2026-02-26

File Number: LTB-L-052950-25-RV

In the matter of: 870 Wonderland Road South
London ON N6K2V8

Between: 850-906 Wonderland Holdings Limited Landlord

And

The Estate of Ken Le Capelain Tenant
The Estate of Kay Le Capelain

And

Kamini Le Capelain Unauthorized Occupant

And

Kelly Le Capelain Potential Party

Review Order

850-906 Wonderland Holdings Limited (the 'Landlord') applied for an order to terminate the tenancy of The Estate of Ken Le Capelain and The Estate of Kay Le Capelain (the 'Tenant') and evict Kamini Le Capelain (the 'Unauthorized Occupant') because the Tenant transferred occupancy of the rental unit to the Unauthorized Occupant without the Landlord's consent. The Landlord also applied for compensation by the Unauthorized Occupant for the use of the rental unit.

This application was resolved by order LTB-L-052950-25 issued on January 30, 2026.

On February 25, 2026, Kelly Le Capelain (the 'Potential Party') requested a review of the order.

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

Determinations:

1. The request to review was filed by Kelly Le Capelain in her capacity as the Estate Trustee of Kay Le Capelain.

2. Rule 26.1 states:

26.1 Any party may request review of any order which makes a final determination of the party's rights. For these purposes an interim order may contain a final determination of rights. A person who is directly affected by a final order may also request a review of an order.

3. Although the request to review argues that a final determination was made with respect to a last month's rent deposit, I do not find this to be the case. The order states at paragraph 17:

There is no last month's rent, as this amount would be owed to the Estate of Kay Le Capelain, not the Unauthorized Occupant and the resolution of that amount is between the Landlord and the Estate.

4. It is clear from this statement that no final determination was made with respect to the existence of a last month's rent deposit. The order states that there is no last month's rent deposit between the Unauthorized Occupant and the Landlord which needs to be accounted for. The order further states that if there is a last month's rent deposit, this would be an issue between the Landlord and the Estate which those parties could pursue outside of these proceedings. As a result, the order does not make a final determination of the Estate's rights with respect to a last month's rent deposit and neither Kelly Le Capelain nor the Estate of Kay Le Capelain have standing to file a request to review in this regard.
5. The order to evict the Unauthorized Occupant and require they pay compensation for use of the rental unit has no effect on Kelly Le Capelain or the Estate of Kay Le Capelain. As a result, they have no standing to file a request to review because they are not directly affected by the order.
6. As a result, I find that neither Kelly Le Capelain nor the Estate of Kay Le Capelain are persons affected by the order and they do not have standing to file a request to review.

It is ordered that:

1. The request to review order LTB-L-052950-25 issued on January 30, 2026 is denied. The order is confirmed and remains unchanged.

February 26, 2026
Date Issued

Richard Ferriss
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.