



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

Citation: Bankuti v Fleming, 2026 ONLTB 18953

Date: 2026-02-27

File Number: LTB-L-053359-25-RV

In the matter of: Unit 77, 151 PARNELL RD
ST CATHARINES ON L2M3S4

Between: Zachary Bankuti Landlord

And

Ashley Fleming Tenant
Aron Anslow

Review Order

Zachary Bankuti (the 'Landlord') applied for an order to terminate the tenancy and evict Ashley Fleming and Aron Anslow (the 'Tenant') because the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year.

This application was resolved by order LTB-L-053359-25 issued on January 29, 2026.

On February 27, 2026, the Tenant requested a review of the order.

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

Determinations:

1. The Tenant does not identify a serious error in the order. The Tenant asks for relief from eviction. Although I am mindful of the Tenant's circumstances, the Divisional Court affirmed at paragraph 27 in *So v. Canadian Mental Health Association, Toronto Branch*, 2024 ONSC 3371 (Div. Ct.) that the discretionary power to deny or delay an eviction pursuant to section 83(1) of the Act does not have a second, independent applicability at the review stage of the Board's process. The purpose of a review request is not to provide relief from eviction. The order reflects that the Tenant attended the hearing and was provided with an opportunity to request relief from eviction. I am not satisfied that the order issued is an unreasonable exercise of discretion.

It is ordered that:

1. The request to review order LTB-L-053359-25 issued on January 29, 2026 is denied. The order is confirmed and remains unchanged.

February 27, 2026
Date Issued

Amanda Kovats
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.