



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

Citation: Gunness v Eringa, 2026 ONLTB 9593

Date: 2026-03-02

File Number: LTB-L-062155-23-RV

In the matter of: UPPER UNIT, 42 VANSITTART AVE
WOODSTOCK ON N4S6E2

Between: Matthew Gunness Landlord

And

Martha Eringa Tenant

Review Order

Matthew Gunness (the 'Landlord') applied for an order to terminate the tenancy and evict Martha Eringa (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or a person the Tenant permitted in the residential complex has seriously impaired the safety of any person and the act or omission occurred in the residential complex.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was resolved by order LTB-L-062155-23 issued on January 28, 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. In determining this request, I reviewed the materials in the LTB's file as well as the audio recording for this hearing.

Determinations:

1. Order LTB-L-062155-23 issued on January 28, 2026 is a consent order.
2. 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.

3. As a result, 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 Tenant was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-L-062155-23 issued on January 28, 2026 is denied. The order is confirmed and remains unchanged.

March 2, 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.