



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

Citation: Dubreuil v Hyes, 2026 ONLTB 20154

Date: 2026-03-05

File Number: LTB-T-016286-24-RV2

In the matter of: 1073 Assaly Gardens
Rockland ON K4K1P1

Between: Christine Dubreuil Tenants
Ben Dubreuil

And

Julie Hyes Landlord

Review Order

Christine Dubreuil and Ben Dubreuil (the 'Tenants') applied for an order determining that Julie Hyes (the 'Landlord') gave a notice of termination in bad faith.

This T5 application was originally heard together with the Tenants' T1 Application, LTB-T-074064-24 on April 3, 2025. These applications were resolved by order LTB-T-016286-24/LTB-T-07064-24 issued on April 16, 2025.

On May 15, 2026, the Tenants requested a review of the order related to the T5 Application only. The Tenants did not challenge the order related to the T1 application.

On May 16, 2025, interim order LTB-T-016286-24-RV-IN was issued, directing the request to a hearing.

On August 27, 2025, order LTB-T-016286-24-RV-IN2 was issued granting the request and directing the T5 application to be reheard.

On January 22, 2026, the T5 application was heard *de novo* and resolved by order LTB-T-016286-24-RV, issued on February 18, 2026.

On March 3, 2026, the Landlord requested a review of the February 18, 2026 review 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.
2. The Landlord submits the Tenant gave contradictory testimony that should have impacted the amount of general damages the presiding Member awarded in the order under review. The Landlord asserts the Tenant first stated she was rendered homeless for two months and unable to see her children when she vacated the rental unit. That the T5 application asserts the Tenant lived with family for two months after moving out of the unit and that during cross examination, the Tenant confirmed her children would see their father regularly and that text messages showed they have a parenting arrangement.
3. I have listened to the hearing recording. The Tenant's testimony was that upon vacating the rental unit she had to stay with family for approximately two months and there was insufficient space there for her children. As a result, the children stayed with their father during this period and the Tenant stated she and the children's father have a 50/50 parenting arrangement.
4. Having reviewed this submission, the order and the recording, I fail to find any material inconsistency with the Tenant's testimony requiring additional analysis from the Member. I also do not find the Landlord has clearly articulated a contradiction in the Tenant's evidence in this review request, nor was the issue raised at the hearing. Paragraph 28 of the order under review provides an accurate summary of the Tenant's evidence concerning impact. As the person best positioned to consider and assess the Tenant's evidence, the Member's findings, including those with respect to impact, are entitled to deference.
5. The remainder of the Landlord's request to review largely restates the Landlord's position on issues that were raised and addressed at the original hearing concerning an amendment to the application with respect to the remedies being sought.
6. Paragraphs 4 and 5 of the order under review provide sufficient reasons explaining why the Member granted the Tenant's request to amend the application, including a lack of prejudice to the Landlord since they had been aware of the amendment request for more than one year before the *de novo* hearing was held.
7. The hearing recording shows the Member considered the position of the parties and clearly set out to the Landlord that the amendment was being granted and she identified the monetary remedies that would be considered. The amendment that was granted and known to the Landlord for more than one year's time, contains an obvious claim for general compensation in the amount of one year's worth of rent. The Landlord did not seek an adjournment to prepare a further response and the recording shows the Landlord had a full opportunity to address the remedies being requested and exercised this right.

8. The Landlord's disagreement with the Member's determinations to grant the amendment she did is not sufficient grounds for review. There is no indication in the recording or the order that suggests the Member applied improper principles in determining the request to amend the application. The order contains adequate reasons explaining the Member's decision and as such, this finding is also entitled to deference. The Board's review process is not meant to provide a party the opportunity to reargue issues that have already been reasonably determined in the hopes of achieving a different outcome.
9. For the reasons above, I am not satisfied there is a serious error in the order or that a serious error occurred in the proceedings. The Landlord's request for review is therefore denied.

It is ordered that:

1. The request to review order LTB-T-016286-24-RV issued on February 18, 2026 is denied. The order is confirmed and remains unchanged.

March 5, 2026
Date Issued

John Cashmore
Member, Landlord and Tenant Board

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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.