



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

File Number: LTB-L-017005-25-RV

In the matter of: 505, 3575 BATHURST ST
NORTH YORK ON M6A2C8

Between: SKPM RENTS 1 Landlord

And

LIVIANNA FERRARO Tenant

Review Order

SKPM RENTS 1 (the 'Landlord') applied for an order to terminate the tenancy and evict LIVIANNA FERRARO (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-017005-25 issued on February 27, 2026 as a result of a hearing that took place on December 17, 2025 where all parties with their representatives were present.

On March 9, 2026, the Tenant requested a review of the order.

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

Determinations:

1. For the reasons that follow, the request to review is denied and the order remains unchanged.

Request to review

2. The Tenant's request to review alleges the order contains a serious error and goes on to dispute the finding that the Tenant owed the Landlord arrears of rent after the Tenant provided evidence that the NOR/AGI order could not be served by placing it under the door.
3. In reviewing the order, it appears that the issue of service was explored in paragraphs 15-18; the video referenced by the Tenant's representative does not appear to be mentioned in the order but that does not mean it was not considered if presented at the hearing.

4. I note at paragraph 18 of the order, the Member states “..even if there were defects in the service of timing of the NORI, the rent increase is deemed not to be void...” For context, this finding is in reference to section 135.1 of the Act that states:

135.1 (1) An increase in rent that would otherwise be void under subsection 116 (4) is deemed not to be void if the tenant has paid the increased rent in respect of each rental period for at least 12 consecutive months.

5. So, the question before me is whether the Member’s finding is unreasonable under the circumstances and not within the normal range of outcomes. I find it is not and say this for the following reasons.

6. Section 136(2) of the Act states:

(2) An increase in rent shall be deemed to be lawful unless an application has been made within one year after the date the increase was first charged and the lawfulness of the rent increase is in issue in the application.

7. The increase that is the subject of this application concerned the year 2022-2023 which was paid by the Tenant for twelve consecutive months. The application for rent arrears was filed in 2025 – more than 12 months later.
8. So I do not find the Member’s finding that the lawfulness of the service of the NORI became less important in the face of the Tenant’s payment of the increase for twelve consecutive months. I note if the Tenant takes the position they did not know that their rent increase, it is unclear how and why they would be able to make the payments of the increased amount for twelve months after.
9. 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 and the request to review is denied.

It is ordered that:

1. The request to review order LTB-L-017005-25 issued on February 27, 2026 is denied. The order is confirmed and remains unchanged.

March 10, 2026
Date Issued

Sonia Anwar-Ali
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.