



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

File Number: LTB-L-086837-25-RV

In the matter of: 11 ROBBIE CRES
Pickering ON L1S3M8

Between: Sheldon Duffney Landlord

And

Shaun Carter Tenant

Review Order

Sheldon Duffney (the 'Landlord') applied for an order to terminate the tenancy and evict Shaun Carter (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-086837-25 issued on February 12, 2026 as a result of a hearing that took place on February 5, 2026 where all parties were in attendance.

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 asserts the order contains a serious error - specifically, that it fails to reflect the fact that the Landlord is holding a last month rent deposit. A copy of the lease agreement was submitted by the Tenant in support of this assertion.
3. The problem with the Tenant's request is that he attended and participated at the hearing held on February 5, 2026 and could and should have raised this discrepancy there. The issue of whether the Landlord is holding a last month rent deposit was found in the application on page 6.
4. Serious errors include the following:

- An error of jurisdiction. For example the order relies on the wrong section of the RTA or exceeds the LTB's powers. This issue need not have been raised in the original hearing;
 - A procedural error which raises issues of natural justice;
 - An unreasonable finding of fact on a material issue which would potentially change the result of the order;
 - New evidence which was unavailable at the time of the hearing and which is potentially determinative of one or more central issues in dispute;
 - An error in law. The LTB will not exercise its discretion to review an order interpreting the RTA unless the interpretation conflicts with a binding decision of the Courts or is clearly wrong and unreasonable; and ,
 - An unreasonable exercise of discretion which results in an order outside the usual range of remedies or results and where there are no reasons explaining the result.
5. The Tenant has failed to establish a serious error on the order and essentially disputes the finding of fact made by the Member based on the evidence before the Board.
6. 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.
7. This order contains all of the reasons for the decision within it. No further reasons shall be issued.

It is ordered that:

1. The request to review order LTB-L-086837-25 issued on February 12, 2026 is denied. The order is confirmed and remains unchanged.

March 11, 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.