



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

File Number: LTB-L-106824-25-RV

In the matter of: 2, 7 ELWAY CRT
TORONTO ON M6B2N7

Between: SHOSHANA ELHARAR Landlord

And

JUDY ANN JAVELLANA MEJIAS Tenant
FLORO MEMITA

Review Order

SHOSHANA ELHARAR (the 'Landlord') applied for an order to terminate the tenancy and evict JUDY ANN JAVELLANA MEJIAS and FLORO MEMITA (the 'Tenant') because the Tenant has been persistently late in paying the Tenant's rent.

This application was resolved by order LTB-L-106824-25 issued on March 3, 2026.

On March 10, 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's review request ("RTR") claims that Board order issued on March 3, 2026 (the "Order") contains a serious error.
2. By way of background, the Landlord's L2 application was brought on the basis the Tenants have been persistently late in paying rent. Prior to granting the Landlord's request for eviction, the Order shows the member considered the Tenant's s.83 (3)(a) submissions/evidence concerning whether or not the Landlord was in serious breach of the Landlord's responsibility under the *Residential Tenancies Act, 2006* (the "Act") or tenancy agreement. The member found the Tenant had not met the required onus under s.83(3).
3. The RTR explains that the Tenant has been gathering further evidence and that subsequent to the hearing, the Tenant filed a T2/T6 Application. The RTR also purports to further explain the reason for any withheld payments.
4. The purpose of the review process, however, is not to provide parties with an opportunity of relitigating the issues in the hopes of a better outcome. Here, the Order shows the

member applied the correct legal test for this type of application and the member provided sufficient reasons as to why the member found that the Tenant persistently paid the rent late and why the Tenant had not satisfied their burden of proof under section 83(3)(a) of the Act. As the evidentiary foundation upon which the member's finding are based appear to be rationally connected to the evidence adduced, I am not satisfied that there is a serious error in the Order or the proceedings. The RTR must therefore be denied.

It is ordered that:

1. The request to review order LTB-L-106824-25 issued on March 3, 2026 is denied. The order is confirmed and remains unchanged.

March 12, 2026
Date Issued

Peter Nicholson
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.