



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

Citation: Fife Road Co-operative Homes Inc. v Ceho Jukic, 2026 ONLTB 24961

Date: 2026-03-23

File Number: LTB-C-045276-25-RV

In the matter of: 45, 190 FIFE RD
GUELPH ON N1H8L4

Between: Fife Road Co-operative Homes Inc. Co-op

And

Merima Ceho Jukic Co-op
Member

Review Order

Fife Road Co-operative Homes Inc. (the 'Co-op') applied for an order to end the occupancy of the member unit and evict Merima Ceho Jukic (the 'Co-op Member') because the Co-op Member did not pay the regular monthly housing charges that the Co-op Member owes.

This application was resolved by order LTB-C-045276-25 issued on January 14, 2026.

On March 20, 2026, the Co-op Member requested a review of the order.

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

Determinations:

Request to Extend Time

1. The order under review was issued on January 14, 2026. The 30-day deadline to request a review of the order fell on February 13, 2026. Based on the submissions made in the request to extend time, I am satisfied the Co-op Member has sufficiently explained why the request for review was not submitted within the 30 days permitted. As such, the request to extend time is granted.

The Review Request

2. The Co-op Member submits there has been a change in their circumstances since the matter was heard by the Board on January 6, 2026. Specifically, the Co-op Member states they now have a roommate and this could change the Member's findings that the occupancy is not viable.

3. The review process is not an opportunity to update the Board on one's circumstances in the hopes of achieving a different result. In addition, the Co-op Member's change in circumstances is not new evidence. The leading case on new evidence is *Palmer v. The Queen*, 1979 CanLII 8 (SCC). I find that case distinguishable from the case before me. That case involved proposed new evidence regarding the truthfulness and motivation behind key witness testimony that was given at trial. It did not concern an update of the accused circumstances. The purpose of new evidence is not meant to capture updates about a party's circumstances or updates about new events that occurred after a hearing.
4. Board decisions are final and binding. I imagine that in many cases before the Board the circumstances of parties change after a hearing is held. To find that a new hearing is required whenever there is an update to a party's circumstances, or a new event occurs, would interfere with the Board's ability to provide final decisions.
5. 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. The Co-op Member's request for review must therefore be denied.

It is ordered that:

1. The request to review order LTB-C-045276-25 issued on January 14, 2026 is denied. The order is confirmed and remains unchanged.

March 23, 2026
Date Issued

John Cashmore
Member, Landlord and Tenant Board

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