



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

Citation: 295 Jarvis v Deluca, 2026 ONLTB 25048

Date: 2026-03-23

File Number: LTB-L-070740-25-RV

In the matter of: 311 A, 295 JARVIS ST
TORONTO ON M5B2C2

Between:	295 Jarvis	Landlord
And		
	Tony Deluca	Tenant

Review Order

295 Jarvis (the 'Landlord') applied for an order to terminate the tenancy and evict Tony Deluca (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-070740-25 issued on February 20, 2026.

On March 22, 2026, the Tenant requested a review of the order.

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

Determinations:

1. The review request submits that the Member erred by failing to consider all relevant circumstances pursuant to subsection 83(1) of the *Residential Tenancies Act, 2006*, the ("Act").
2. The review request states that the Tenant asked the Member to consider anticipated compensation under the Housing Replacement Terms issued by the City. The Tenant asserts that they expect to receive compensation in the thousands of dollars once renovations to the residential complex are completed.
3. The review request submits that the Member failed to consider the Tenant's submissions regarding these Housing Replacement Terms and failed to provide reasons for not doing so.
4. On review of the order, the Member made no explicit determination regarding the Tenant's anticipated compensation. While this constitutes an error, I am not satisfied that it amounts to a serious error, as it has no bearing on the outcome of the proceeding. The order contains sufficient reasons for a finding that the Tenant has no income and that the

tenancy is not viable. The Tenant's lack of income supports eviction, as the Tenant failed to provide proof of income or propose a viable payment plan.

5. I note that the Tenant did not direct the Member to the Housing Replacement Terms issued by the City. As stated in the review request, the Tenant suggested that the Board consider a "substantial mount of money" that will be "much more than what I owe", referring to anticipated compensation. However, this assertion reflects the Tenant's expectation rather than evidence properly before the Board. As held in *Lacroix v. Central-McInlay International Limited*, 2022 ONSC 2807, a party's internal thought process during a hearing is insufficient grounds to appeal a final Board order.
6. Even if the Tenant had introduced the Housing Replacement Terms as evidence and had the Member considered the anticipated compensation arising from the Landlord's renovation plans, there is no evidence that such renovations have commenced. As noted in the review request, the Landlord has future plans to issue N13 notices. While the Tenant may receive compensation, this remains speculative. The calculations provided by the Tenant are merely estimates, and there is no reliable evidence establishing the amount of compensation that will be payable. There is also no evidence as to when renovations will begin or their duration. In the circumstances, even if the Housing Replacement Terms had been considered, they would not have altered the Member's assessment under subsection 83(1) of the Act.
7. The Tenant's disagreement with the Member's determinations is not sufficient grounds for review. There is no indication that the Member applied improper principles in assessing the evidence introduced in this case or that there was insufficient evidence before the Board to support the Member's conclusions.
8. For these reasons, I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceeding. Accordingly, the Tenant's request for review is denied.

It is ordered that:

1. The request to review order LTB-L-070740-25 issued on February 20, 2026 is denied. The order is confirmed and remains unchanged.

March 23, 2026
Date Issued

Mayra Sawicki
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.