



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

File Number: LTB-L-101982-25-SA-RV

In the matter of: Apt 2, 531 CATHERINE ST
THUNDER BAY ON P7E1L2

Between: Synergy Property Management

Landlord

And

Nicole Kis
Simon Magiskan

Tenant

Review Order

Synergy Property Management (the 'Landlord') applied for an order to terminate the tenancy and evict Nicole Kis and Simon Magiskan (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant failed to meet a condition specified in the order issued by the Board on November 17, 2025 with respect to application LTB-L-068492-25-SA-RV.

This application was resolved by order LTB-L-101982-25-SA issued on March 9, 2026.

On March 24, 2026, the Tenant Nicole Kis requested a review of the order.

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

Determinations:

1. In the review request, the Tenant provided additional submissions regarding the application and the second-named Tenant's involvement in the arrears. The Board's review process is not an opportunity for a party to re-argue a matter that has been determined, with the hope of achieving a different result. All evidence and submissions should have been presented during the initial hearing.
2. The Tenant submitted that her circumstances were not properly considered by the adjudicator regarding an extension of the lifting of the stay under section 78(11) of the *Residential Tenancies Act* (2006) (the 'Act'). The order addresses the Tenant's circumstances at paragraph 5. As such, I am satisfied that the Member considered the Tenant's evidence and submissions when making his determinations. The Member's exercise of discretion was therefore reasonable and is entitled to deference.

3. The Tenant also requested more time to find alternative accommodations. While I am mindful of the Tenant's submissions, the Divisional Court affirmed at paragraph 27 in *So v. Canadian Mental Health Association, Toronto Branch*, 2024 ONSC 3371 (Div. Ct.) that relief from eviction under section 83 of the Act does not have a second, independent applicability at the review stage of the Board's process.
4. 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.

It is ordered that:

1. The request to review order LTB-L-101982-25-SA issued on March 9, 2026, is denied. The order is confirmed and remains unchanged.

March 25, 2026
Date Issued

Kate Sinipostolova
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.