



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

**Citation:** FRIDAY v TENUTA, 2026 ONLTB 27240

**Date:** 2026-03-31

**File Number:** LTB-T-031173-25-RV

**In the matter of:** 26 Mississauga Rd N  
Mississauga ON L5H2H6

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|-----------------|-----------------|----------|
| <b>Between:</b> | SAMANTHA FRIDAY | Tenant   |
|                 | <b>And</b>      |          |
|                 | DOMENIC TENUTA  | Landlord |

### **Review Order**

SAMANTHA FRIDAY (the 'Tenant') applied for an order determining that DOMENIC TENUTA (the 'Landlord') entered the rental unit illegally, harassed, obstructed, coerced, threatened or interfered with the Tenant and withheld or interfered with their vital services or care services and meals in a care home (T2 Application).

The Tenant also applied for an order determining that the Landlord failed to meet the Landlord's maintenance obligations under the Residential Tenancies Act, 2006 (the 'Act') or failed to comply with health, safety, housing or maintenance standards (T6 Application).

This T2/T6 application was resolved by order LTB-T-031173-25 issued on January 27, 2026.

On February 25, 2026, the Tenant requested a review of the order.

A preliminary review of the review request was completed without a hearing. In determining this request, I reviewed the materials in the LTB's file as well as the audio recording for this hearing.

### **Determinations:**

1. The order under review results from an Adjudicative Case Conference ('ACC'). The order states that the Member consents to the Tenant's request to withdraw these applications and declares these matters to be withdrawn.
2. In the review request the Tenant submits that she was coerced into requesting that this matter be withdrawn. The Tenant submits that the Member who conducted the ACC had told the Tenant that her applications have no merit, if the Member were to decide them he would dismiss them, and if the Tenant files a review regarding the dismissal the

review would be denied. The Tenant essentially submits that her withdrawal of these applications was not by her own choice.

3. The hearing recording is of the withdrawal request and the Member's consent to it. The discussion that preceded the withdrawal of these applications was not recorded, as is customary with ACCs, where the only recordings are of hearings that result in orders. The discussion prior to the withdrawal in this matter would have likely included the Member's estimation of the merits of these applications; this would not be appropriate to record.
4. The Tenant's review request concerns the Member's conduct in the portion of these proceedings that was not recorded.
5. The hearing recording shows that the Tenant voluntarily requested that these applications be withdrawn. If the Tenant wished to have a hearing on the merits of these applications, she could have refrained from making this request and, instead, asked for an uncontested hearing or, if she was concerned that there may be problems with her applications, she could have requested an adjournment to amend the applications. She did neither of these things. She asked that the applications be withdrawn. The order reflects what happened at the hearing.
6. During the recording the Tenant asks the Member to withdraw the applications "with permission to refile." The Member points out that his permission is not required. This exchange demonstrates that the Tenant was not afraid to raise her own concerns with the Member.
7. If the Member did tell the Tenant that her applications may not have merit the way they are currently written, he was correct. The T2 application contains a number of allegations about harassment for which no dates are provided. There are three allegations providing dates. For one of these the Tenant acknowledges she has no proof. The other is a harassment allegation but it would not qualify as harassment. The third is about an alleged illegal entry, which turns on the Tenant's assertion that the Landlord had concocted a fake emergency in order to gain entry. The Tenant's video, which she asserts was determinative of this issue, is not determinative. The video is not conclusive or even persuasive evidence that the Landlord faked a leak. The video is not date stamped so it is unknown how much time passed between the Landlord's text message about a leak and the Tenant's video.
8. The T6 application contains a narrative about a vent and ductwork, with a focus on assertions that the Landlord has blamed or will blame the Tenant for certain issues in the unit. It appears that this application may be about a missing vent cover and a lack of heat that may be related to the missing cover or a disconnected duct, but the Tenant did not clearly state that there is no heat in the unit and did not file any temperature readings.
9. The Tenant states in her review request that her applications allege that the Landlord is stalking her by following her and surveilling her vehicle. The Tenant asserts that she has filed extensive evidence, including of the Landlord's stalking behaviour. There is no

allegation in either application that the Landlord was stalking the Tenant and surveilling her vehicle. The Tenant filed a number of photographs and screenshots but none of them establish that the Landlord was stalking her or surveilling her vehicle. This calls the reliability of the Tenant's statements in the review request into question.

10. The Tenant asserts that the Member told her what to say just before recording. This is an extraordinary allegation. Given that the review request contains several statements that are demonstrably inaccurate, without a recording to support that the Member told the Tenant what to say I am not satisfied that this occurred.
11. Even if the Member had conducted himself as alleged in the review request, I am not satisfied that this conduct coerced the Tenant into requesting the withdrawal of her applications. It was reasonable for the Member to opine that the Tenant may not achieve a favourable outcome if he heard these applications. If the Member also stated that the Tenant would be unsuccessful on review that would have been inappropriate, but it would not force the Tenant to withdraw. It was open to the Tenant to disagree with these assertions and insist on a hearing of her applications. Even if the Member coached the Tenant what to say just before the recorded portion of the hearing, the Tenant felt free to go off script to assert a right to refile her applications, showing that her statements on the record were not restricted to what she was allegedly told to say.
12. For the above reasons, 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-T-031173-25 issued on January 27, 2026 is denied. The order is confirmed and remains unchanged.

**March 31, 2026**  
**Date Issued**

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Renée Lang  
Vice Chair, Landlord and Tenant Board

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