



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

Citation: Mancuso v Avila-Arata, 2026 ONLTB 27735

Date: 2026-04-01

File Number: LTB-L-098683-25-SA-RV

In the matter of: 13 Faulkner Cres
North York ON M9M2B9

Between: Rose Mancuso Landlord

And

Danny Pier Avila-Arata Tenants
Joselyn Andrea Valet

Review Order

Rose Mancuso (the 'Landlord') applied for an order to terminate the tenancy and evict Danny Pier Avila-Arata and Joselyn Andrea Valet (the 'Tenants') and for an order to have the Tenants pay compensation for damage they owe because the Tenants failed to meet a condition specified in the order issued by the Board on November 7, 2025 with respect to application LTB-L-061569-25.

This application was resolved by order LTB-L-098683-25 issued on December 1, 2025. The Tenants filed a motion to set aside the order. The Tenants' motion was resolved by order LTB-L-098683-25-SA, issued on January 6, 2026. The Tenants requested a review of order LTB-L-098683-25-SA and requested an extension of time to file the review request. The Tenants' request for an extension of time was denied by an endorsement issued on March 25, 2026.

On March 27, 2026, the Tenants filed a second request to extend time to file a review and a second request to review order LTB-L-098683-25-SA.

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

Determinations:

Request to extend time

1. The Tenants' request to extend time to file the second review request is granted.

Review request

2. This is the second review request by the Tenants for the same proceeding. The original order for the set aside motion was issued on January 6, 2026. The Tenants requested a

review of that order and an extension of time to file the review request. The Tenants' request to extend time was denied after a consideration of the merits of the review request, as per the Divisional Court's direction in *Magno v. Lakhany*, 2025 ONSC 5235. The Tenants have filed a second request to review order LTB-L-098683-25-SA.

3. Rule 26.18 of the Board's Rules of Procedure provides as follows: The LTB will not consider a further request to review the same order or to review the review order from the same requesting party.
4. Rule A4.2 permits the Board to waive the application of any rule. The Board will only do so in extraordinary circumstances.
5. The circumstances in this case are not sufficiently extraordinary to warrant waiving Rule 26.18. The Tenants have given no reason for failing to include in their first request to extend time any reasons for the delay in filing the first review request and they have not given any reason for failing to include vital information in the first review request. In the second set of requests the Tenants seek to include the missing information. Essentially, the Tenants seek to perfect their first requests. This is not a circumstance that warrants waiving the application of Rule 26.18.
6. Accordingly, the Board will not consider the Tenants' second request to review order LTB-L-098683-25-SA.

It is ordered that:

1. The second request to review order LTB-L-098683-25-SA issued on January 6, 2026 is denied. The order is confirmed and remains unchanged.

April 1, 2026
Date Issued

Renée Lang
Vice Chair, 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.