



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

Citation: Homestead Land Holdings Limited v Alkhwin, 2026 ONLTB 28862

Date: 2026-04-07

File Number: LTB-L-080156-25-SA-RV

In the matter of: 9, 660 SIR JOHN A MACDONALD BLVD
KINGSTON ON K7M1A2

Between: Homestead Land Holdings Limited Landlord

And

Hanaa Alkhwin Tenant

Review Order

Homestead Land Holdings Limited (the 'Landlord') applied for an order to terminate the tenancy and evict Hanaa Alkhwin (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 May 28, 2025 with respect to application LTB-L-010535-25.

This application was resolved by order LTB-L-080156-25 issued on October 3, 2025. This order was issued without a hearing being held.

On October 24, 2025, the Tenant filed a motion to set aside order LTB-L-080156-25.

This application was resolved by order LTB-L-080156-25-SA issued on March 11, 2026.

On April 2, 2026, the Tenant requested a review of the order.

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

Determinations:

1. 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.
2. The review request alleges that the Member made a serious error by misapprehending the evidence regarding the Tenant's income. Specifically, the Tenant asserts that the Member relied on an incorrect monthly income of \$4,341.00 despite having determined that the Tenant's income was \$5,545.00.
3. While this amounts to an error, it is not a serious error, as it has no bearing in the outcome of the proceedings. The evidence establishes that the Tenant's monthly

expenses exceed \$6,000.00. While the Tenant's correct monthly income is \$5,545.00, the Tenant's income remains insufficient to cover the Tenant's monthly expenses and arrears. As such, the tenancy is not financially viable, and the Member's determination would have been the same.

4. The review request further alleges that the Member failed to appropriately consider section 83(1) of the *Residential Tenancies Act, 2006*, the ("Act"), on the basis that the Member did not consider the Tenant's inability to speak English and that the Tenant has six children.
5. The Member is not required to make an explicit finding or explicitly address each piece of evidence submitted by the parties in her decision (see *Newfoundland and Labrador Nurses' Union v. Newfoundland and Labrador (Treasury Board)*, 2011 SCC 62, [2011] 3 S.C.R. 708).
6. Paragraph 13 of the order demonstrates that the Tenant's circumstances, including having six children, were considered when granting relief. The Member provided a delayed eviction date to May 31, 2026 in light of those circumstances. While a different Member may have reached a different conclusion, the Member's findings are entitled to considerable deference. I will not interfere with the Member's assessment of the evidence.
7. The Tenant's disagreement with the Member's determinations is not sufficient grounds for review. The review process is not an opportunity to reassess the evidence or arrive at a different conclusion. 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 proceedings. Accordingly, the Tenant's request for review is denied.

It is ordered that:

1. The request to review order LTB-L-080156-25-SA issued on March 11, 2026 is denied. The order is confirmed and remains unchanged.

April 7, 2026
Date Issued

Mayra Sawicki
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.