



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

Citation: Schuller v Catherton Charitable Foundation, 2026 ONLTB 28925

Date: 2026-04-07

File Number: LTB-T-008694-26-RV

In the matter of: 116, 70 Ontario Street North
Milton ON L9T2T1

Between: Roderick Mark Schuller Tenant

And

Catherton Charitable Foundation Landlord

Review Order

Roderick Mark Schuller (the 'Tenant') applied for an order determining that Catherton Charitable Foundation (the 'Landlord'):

- withheld or interfered with their vital services or care services and meals in a care home.

This application was resolved by order LTB-T-008694-26 issued on March 31, 2026.

On April 6, 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 alleges that there are various errors in the order. None of the submissions in the review request address the reasons that the application was dismissed.
2. This application was dismissed for two reasons: (1) the application does not allege that the Landlord withheld vital services. Rather, it alleges that the Landlord failed to maintain the efficiency of the HVAC system; and (2) the Tenant did not give sufficient evidence to establish on a balance of probabilities that the Landlord failed to maintain the efficiency of the HVAC system. The Tenant's evidence was hearsay evidence and so it was entitled to very little weight.
3. The Member gave sound reasons for dismissing the application and the review request does not identify any errors in these reasons. I am therefore not satisfied that there is a serious error in the order or a serious error occurred in the proceedings.

4. The review request submits that the Tenant was not reasonably able to participate in the proceedings because certain critical evidence about the baseline for electrical use in the unit was unavailable due to a failure in the utility provider's system. The Tenant attended the hearing and gave evidence and submissions. The Tenant could have sought this critical data prior to the hearing but instead he sought it on April 1, 2026 (the date of his email to the utility provider asking for 2023 data), which is six weeks after the hearing. That he found out after his April 1 enquiry that the data was not available is not relevant to the outcome of these proceedings and it does not support that the Tenant was unable to participate the proceedings.
5. 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 or that the Tenant was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-T-008694-26 issued on March 31, 2026 is denied. The order is confirmed and remains unchanged.

April 7, 2026
Date Issued

Renée Lang
Vice Chair, 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.