



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

Citation: PETERBOROUGH HOUSING CORPORATION v EDWARDS, 2026 ONLTB 29320

Date: 2026-04-14

File Number: LTB-L-086114-25-RV

In the matter of: 2042 PRATTS MARINA RD
LAKEFIELD ON K0L2H0

Between: PETERBOROUGH HOUSING CORPORATION Landlord

And

SHAWN EDWARDS
KASSANDRA IMMINGS
KYLE EDWARDS

April 14, 2026

Tenants

Review Order

PETERBOROUGH HOUSING CORPORATION (the 'Landlord') applied for an order to terminate the tenancy and evict SHAWN EDWARDS, KASSANDRA IMMINGS and KYLE EDWARDS (the 'Tenants') because:

- the Tenants or another occupant of the rental unit has committed an illegal act or has carried out, or permitted someone to carry out an illegal trade, business or occupation in the rental unit or the residential complex.
- the Tenants, another occupant of the rental unit or a person the Tenants permitted in the residential complex have seriously impaired the safety of any person and the act or omission occurred in the residential complex.

The Landlord also claimed compensation for each day the Tenants remained in the unit after the termination date.

This application was resolved by order LTB-L-086114-25 issued on February 3, 2026.

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

On February 26, 2026 interim order LTB-L-086114-25-RV-IN was issued, staying the order issued on February 3, 2026.

This application was heard by videoconference on April 8, 2026.

Only the Landlord's agent R. Vettor and the Landlord's Legal Representative Ian MacInnis attended the hearing.

I was satisfied that the Tenants had received the Notice of Hearing and there was no request to adjourn before me. Based on this, I proceeded to hear the review at 9:56 a.m.

Determinations:

1. The Landlord filed a Request to Review the Board's final order dated February 3, 2026, which dismissed the Landlord's L2 application seeking termination of the tenancy and eviction under ss. 61(1) and 66(1) of the *Residential Tenancies Act, 2006* (the 'Act').
2. On the basis of the submissions made, and having viewed the record, I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceedings.
3. The Landlord's Legal Representative I.M. submits that the Vice-Chair hearing the matter misapprehended, misconstrued or ignored the evidence presented at the hearing, which materially impacted the outcome.
4. He contends specifically that a serious error occurred when the Vice-Chair incorrectly determined that the Tenants' arrests for weapons offences after an alleged OPP raid at the rental unit or residential complex were not breaches of ss. 61 and 66 of the Act.
5. I.M. further submits that the Vice-Chair seriously erred in rejecting or giving little weight to hearsay statements made to the Landlord's superintendent which establish the breaches.
6. In submissions, he argued that the Vice-Chair was also required to give conclusive weight to an official police "press release" the Landlord offered as evidence which clearly constitutes proof in support of an eviction. He claims the Board significantly misconstrued its content, resulting in an unjust order.

Analysis

7. It is clear in the order that the Vice-Chair accepted that the Tenants were arrested and charged with weapons offences on a certain date. This satisfied the first part of the test under s. 61(1) of the Act concerning whether an illegal act occurred.
8. The second part of the test requires the Landlord to establish that the illegal act occurred in the rental unit or the residential complex.
9. The Landlord does not contest the fact that the "press release" they presented at the original hearing does not directly link the illegal act to any part of the complex.
10. I.M. was disinclined to agree but acknowledged that the "press release" was really a newspaper article which appears to have repeated or transcribed – correctly or incorrectly – information from an official OPP press release, and that the content was not in fact referred to in the article as a formal press release issued by the OPP.
11. I.M. pointed out the Tenants lived in Selwyn Township, which he says is important. He claims that the Vice-Chair misconstrued the article which reported that the OPP arrested two individuals for drug offences during a police raid in Englehart, ON, after which the article lists the Tenants' charges – meaning that the Vice-Chair assumed that the Tenants were found and charged along with those two individuals in Englehart, which is nowhere near Selwyn Township.
12. The problem, he submits, is that the Vice-Chair neglected to consider that the article goes on to say that "Search warrants were also executed at locations in North Kawartha Township, the Township of Otanabee-South Monaghan and the Township of Selwyn" and that the Tenants, "from the Township of Selwyn" were arrested and charged. When

combined with the superintendent's evidence, he maintains that the Landlord proved their case.

13. If this was an error, I do not find it was a serious error. The Vice-Chair does not reach her conclusion based solely on the fact that the Tenants may have been in Englehart when the OPP conducted a raid there. Rather, she reiterates at para. 20 that she was not persuaded based on all the evidence before the Board that a police raid occurred at the residential complex on August 26, 2025.
14. There was no error in the Vice-Chair finding that the superintendent's testimony failed to sufficiently establish that a raid referenced by the Tenant K.I. and a neighbouring tenant during separate conversations weeks later was the same incident described in the newspaper article.
15. I further noted to I.M. that the Board might reasonably consider it plausible that the police raid and Tenants' arrests occurred at a different location in Selwyn Township, such as at the home of the Tenants' friends, at a commercial business, or at a public park, and on a different day, given the vagueness and ambiguity of the newspaper article.
16. This was the Landlord's case to prove. The Vice-Chair noted that the Landlord presented no police witnesses, police reports or any objective, reliable evidence identifying the location of the raid or of the arrests.
17. Because there was a significant gap in the evidence, the Vice-Chair was entitled to conclude that the Landlord failed to discharge the onus of proof and to reject the Landlord's speculative theory that the raid and arrests happened at the complex on the date in the article – an opinion of the Landlord based on an improvident leap of logic.
18. Parties bear the responsibility for presenting their own evidence, and the Board is not required to alert a party to weaknesses inherent in its own evidentiary record. Recognizing deficiencies in the evidence is part of the adjudicator's role in applying the balance of probabilities standard. It does not amount to a denial of natural justice.
19. The Landlord had full opportunity to present cogent evidence. No procedural unfairness or legal error occurred.
20. A review is not an opportunity to re-argue the case or introduce new evidence with the hope of achieving a different result. Although the Landlord disagrees with the Vice-Chair's findings, the order amply demonstrates the critical lack of reliable evidence and this led to the reasonable conclusion that the Landlord did not prove their claims.
21. The Board's findings of facts are entitled to considerable deference and respect: there is a rational connection between the facts found and the evidence presented at the original hearing; the law was properly applied and the order contains sufficient reasons to explain the result.
22. Based on the above, the review of the order must be denied.

It is ordered that:

1. The request to review order LTB-L-086114-25 issued on February 3, 2026 is denied. The order is confirmed and remains unchanged.
2. The interim order issued on February 26, 2026 is cancelled.

3. The stay of order LTB-L-086114-25 is lifted immediately.

April 14, 2026
Date Issued

Elle Venhola
Member, 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.