



Order under Section 31 of the Residential Tenancies Act, 2006

File Number: LTB-T-038173-25-HR2

In the matter of: 402, 311 DIXON RD
ETOBICOKE, ON M9R1S3

Between: Ashia Morrison Tenant

and

Charles Berman
Dixon Holdings Landlord

DE NOVO HEARING ORDER

Procedural History of Application

On April 30, 2025, Ashia Morrison (the 'Tenant') applied in a T2 and T6 application seeking an order determining that Charles Berman and Dixon Holdings (the 'Landlord'): substantially interfered with the Tenant's reasonable enjoyment of the rental unit or residential complex; harassed, obstructed, coerced, threatened or interfered with the Tenant; and breached their maintenance obligations under section 20 of the *Residential Tenancies Act, 2006* (the 'Act').

The application was heard by videoconference on October 1, 2025 which only the Tenant's side attended. Member R. Jackson ordered in LTB-T-038173-25-HR issued on November 4, 2025 (the 'T2/T6 Order'), for the Landlord to remediate flooring and test/replace windows.

On November 24, 2025 the Landlord requested a stay and review of the T2/T6 Order, claiming they were not reasonably able to participate in the proceedings.

Review interim order LTB-T-038173-25-RV-IN was issued by Member F. Quattrociocchi on November 25, 2025, staying the T2/T6 Order and directing the request to a review hearing.

The review hearing was conducted by videoconference on December 10, 2025, which was attended by both parties. The Landlord's request for review was granted by Member S. Priest, who issued LTB-T-038173-25-RV-IN2 on January 6, 2026, which cancelled the original T2/T6 Order and adjourned the *de novo* (new) T2/T6 hearing.

The *de novo* (new) T2/T6 hearing was conducted by videoconference on March 24, 2026. The Tenant attended the hearing and spoke to tenant duty counsel before the hearing started. The Landlord Charles Berman (property manager) also attended the hearing on behalf of the Landlord.

The parties mutually agreed to resolve all matters at issue in the application and requested an order on consent. I was satisfied that the parties understood the consequences of the joint submission.

It is ordered on consent that:

1. The Landlord agrees to install new permanent flooring in the kitchen, bathroom, and hallway areas, which will be some type of tile that is of commercial grade (similar to but does not have to be concrete) and durable (not vinyl). The new flooring shall be installed in the rental unit on or before April 30, 2026.
2. The Landlord agrees to install 4 new windows at the rental unit: (1) in the Tenant's primary bedroom; (2) in the 2nd bedroom; and (3)/(4) 2 of the 4 windows in the living room that are currently unable to close properly. The new windows will be ordered by the day after the hearing, with manufacture and installation occurring on or before June 30, 2026.
3. The Landlord shall provide the Tenant with proper 24 hours written notice before any entry under section 27 of the Act.
4. The Tenant agrees to cooperate with the Landlord to coordinate any of the repair work described above after receiving written notice from the Landlord.
5. If the flooring work described in paragraph 1 above is not completed by April 30, 2026, then the Tenant may deduct \$250.00 per month from her payment of lawful monthly rent to the Landlord, starting May 1, 2026 and continuing until the repair work with respect to the new flooring has been completed.
6. If the window replacements described in paragraph 2 above is not completed by June 30, 2026, then the Tenant may deduct \$250.00 per month from her payment of lawful monthly rent to the Landlord, starting July 1, 2026 and continuing until the window replacements have been completed. This deduction (rent abatement) will function in addition to the deduction ordered above for the flooring, if both issues are still not resolved by July 1, 2026.

April 14, 2026
Date Issued

Michelle Tan

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.