



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

Citation: Elten v Aniolowski, 2026 ONLTB 31621

Date: 2026-04-17

File Number: LTB-L-019431-25-RV

In the matter of: Main level, 1332 SEAGULL DR
MISSISSAUGA ON L5J3T7

Between: Sanaa Elten Landlord
Elias Elten

And

Arek Aniolowski Former
Tenant

Review Order

Sanaa Elten and Elias Elten (the 'Landlords') applied for an order requiring Arek Aniolowski (the 'Former Tenant') to pay the rent and daily compensation that the Former Tenant owes.

Further, the Landlords applied for an order requiring the Former Tenant to pay the Landlords' reasonable out-of-pocket costs that are the result of the Former Tenant's failure to pay utility costs they were required to pay under the terms of the tenancy agreement.

This application was resolved by order LTB-L-019431-25 issued on March 16, 2026.

On April 15, 2026, the Tenant requested a review of the order.

A preliminary review of the review request was completed without a hearing. In determining this request, I reviewed the materials in the LTB's file as well as the audio recording for this hearing.

Determinations:

1. The order requires the Former Tenant to pay out of pocket expenses for unpaid utility costs. The Former Tenant submits that the Board made a serious error in doing so. Specifically, the Former Tenant alleges:
 1. The Board made an error by awarding costs in the absence of any evidence that the costs were actually incurred by the landlords.

2. The Former Tenant was denied procedural fairness because they were not aware of the case against them, not given an opportunity to respond to the Landlord's claim, and no submissions were permitted on the issue.
2. 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.
3. The Former Tenant's submission that the Landlord provided no evidence about the utility costs is not supported by either the order or hearing recording. The Landlord provided testimony about the utilities from approximately 4:44:50 and the Landlord provided copies of the bills. The order also provides a summary of the evidence provided at the hearing.
4. There is also no merit to the Former Tenant's submission that they were not aware of the case against them. The Landlord's application makes clear that they are seeking unpaid utility costs. The Landlord's representative provided information at the hearing that the amended application and all evidence they were relying upon was served upon the Tenant in advance of the hearing. The Landlord provided their evidence first at the hearing and then the Tenant went second.
5. There is nothing in the hearing recording that supports that the Tenant was denied procedural fairness. At approximately 5:06:30 on the hearing recording the Tenant was provided an opportunity to cross examine the Landlord regarding all the claims on the application. At approximately 5:19:00 on the hearing recording the Tenant was provided an opportunity to provide testimony on all the issues. The recording reflects that the Tenant understood the relevant issues and was provided with an opportunity to be heard on those issues.

It is ordered that:

1. The request to review order LTB-L-019431-25 issued on March 16, 2026 is denied. The order is confirmed and remains unchanged.

April 17, 2026
Date Issued

Amanda Kovats
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.