



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

Citation: Barrie Municipal Non-Profit Housing v Westover, 2026 ONLTB 32932

Date: 2026-04-22

File Number: LTB-L-075919-25-RV2

In the matter of: 305, 131 Berczy St
Barrie ON L4M3R3

Between: Barrie Municipal Non-Profit Housing Landlord

and

Chrystal Westover Tenant

Review Order

Barrie Municipal Non-Profit Housing (the 'Landlord') applied for an order to terminate the tenancy and evict Chrystal Westover (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-075919-25, issued on December 19, 2025.

On December 22, 2025, the Landlord requested a review of the order.

The Landlord's request to review was granted and a new hearing was held to consider the Landlord's application, which resulted in order LTB-L-075919-25-RV.

On April 13, 2026, the Tenant requested a review of order LTB-L-075919-25-RV.

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 Tenant submits that the presiding Member seriously erred because the Landlord provided false and misleading evidence to the Board. The Tenant refers to the Sheriff refusing to enforce an eviction order due to the unsafe condition of the rental unit. Although it is unclear how the Tenant alleges that the presiding Member seriously erred in this regard, I note that the presiding Member does acknowledge this particular event in the history of proceedings in paragraph 9 of the order. The Tenant also makes vague

statements about misleading information leading the Member to believe the Tenant is not being abused by the agents of the Landlord. Again, it is unclear what specific error the Tenant is alleged here. As the Tenant has not sufficiently set out what the alleged error is, I find that this submission is entirely without merit.

3. In the request, the Tenant also alleges that the presiding Member seriously erred by refusing to consider the Tenant's evidence, specifically in paragraphs 28 to 32 of the order. It is apparent from the order that the evidence the Tenant refers to in the review request were actually issues the Tenant sought to raise under section 82 of the *Residential Tenancies Act, 2006* (the 'Act').
4. Rule 19 of the Board's Rules of Procedure requires a tenant who intends to raise issues under section 82 of the Act to provide a written description of each issue the tenant intends to raise. The order acknowledges that while the Tenant served evidence to support the issues she sought to raise, she did not provide a written description of each issue containing satisfactory details for the Landlord to understand the case to be met and be able to respond to those issues. The Member refused to hear the Tenant's section 82 issues because the Tenant did not file sufficient particulars in accordance with Rule 19. It was not unreasonable for the Member to refuse to consider the Tenant's issues under section 82 of the Act which were not filed in accordance with the Rules.
5. The Tenant also alleges that the order is contradictory in that paragraphs 9 and 10 contradict paragraphs 18 and 19. The Tenant does not explain how these paragraphs are contradictory. Paragraphs 18 and 19 detail procedural history in this tenancy and paragraphs 18 and 19 explain why the Member found there are serious errors in the prior order relating to the absence of evidence from the Sheriff put before the Board as well as issues considered by the Member which the Member ought to not have considered. Based on a reading of the paragraphs and, in the absence of any clear explanation as to how these are contradictory determinations, I am not satisfied that there is any error in this regard as alleged by the Tenant.
6. With respect to the alleged error in paragraph 11 of the order, the Member's details of the Tenant's evidence is consistent with the Tenant's own statements made in the review request. Although the Tenant is satisfied there is an error in this determination, the Tenant has not particularized that error in the request and I am therefore not satisfied based on the limited information provided that the presiding Member erred in paragraph 11 of the order.
7. With respect to the alleged errors in paragraph 15 and 16 of the order, the presiding Member was simply detailing what was stated in the order under review and that Member's findings. The underlying order which the Member is referencing has been cancelled and therefore any error in this regard is inconsequential. Therefore, this submission is without merit.
8. The Tenant also alleges that the presiding Member seriously erred in paragraph 34 of the order because the Member required the Tenant to submit a payment plan on the spot. It is unclear how the Tenant alleges the Member erred in this regard. By the Tenant's own

admission in the review request, the presiding Member provided the Tenant with an opportunity to give evidence and make submissions under section 83 of the Act in order to determine whether it would be unfair to grant relief from eviction. The Tenant was aware of the case to be met and had a reasonable opportunity to submit and present evidence in support of their position. For these reasons, I am not satisfied that the presiding Member erred in this regard.

9. As a result, 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.

It is ordered that:

1. The request to review order LTB-L-075919-25 issued on March 13, 2026 is denied. The order is confirmed and remains unchanged.

April 22, 2026
Date Issued

Candace Aboussafy
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.