



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

Citation: Ambassador Huron Apartments v Pimperton, 2026 ONLTB 32579

Date: 2026-04-23

File Number: LTB-L-002061-24-RV

In the matter of: 204, 1705 NORTHWAY AVE
WINDSOR ON N9B3W5

Between: Ambassador Huron Apartments Landlord

And

Sarah Pimperton Tenant

Review Order

Ambassador Huron Apartments (the 'Landlord') applied for an order to terminate the tenancy and evict Sarah Pimperton (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

The application was resolved by order LTB-L-002061-24 issued on November 17, 2025.

On January 5, 2026, the Tenant requested a review of the order and that the order be stayed until the request to review the order is resolved.

On January 16, 2026, interim order LTB-L-002061-24-RV-IN was issued, staying the order issued on November 17, 2025.

The review request was heard by videoconference on February 12, 2026.

The Landlord's legal representative, Cameron Parrott, and the Tenant attended the hearing.

Determinations:

Background

1. This file has a long history before the Board. The Landlord filed an application for non-payment of rent (the 'L1 application') and a hearing was held for this application on May 15, 2024. Only the Landlord attended the hearing. A standard voidable order was issued on May 27, 2024, bearing Board file number LTB-L-002061-24.

2. On May 29, 2024, the Tenant filed a request for review the order issued on May 27, 2024. The Tenant's review request was heard on August 7, 2024, and was resolved by Interim Order LTB-L-002061-24-RV-IN2 issued on August 19, 2024. This first Interim Order:
 - Grants the Tenant's request for review;
 - Orders the Landlord's L1 application to be heard *de novo*;
 - Orders that the Tenant should be permitted to raise issues pursuant to section 82;
 - Adjourns the hearing of the L1 application to allow the Landlord additional time to prepare to respond to the Tenant's issues; and
 - Orders the Tenant to pay rent to the Landlord until the matter is resolved.
3. The Landlord's L1 application came before the Board on October 21, 2024, and the Board issued Interim Order LTB-L-002061-24-RV-IN3 on October 28, 2024. This second Interim Order:
 - Adjourns the L1 application on consent to allow the Landlord time to clarify the Tenant's issues pursuant to section 82;
 - Lists the Portal document numbers which set out the Tenant's section 82 issues; and
 - Lists several alleged "current problems" with the rental unit.
4. The Landlord's L1 application was heard *de novo* on November 17, 2025, and was resolved by order LTB-L-002061-24 issued on December 8, 2025. In this order, the Board denies the Tenant the right to raise issues pursuant to section 82 and grants the Landlord L1 application with a standard voidable order.
5. On January 5, 2026, the Tenant filed a request to review the order issued on December 8, 2025. The Tenant says the order contains a serious error because she was prevented from raising issues pursuant to section 82.
6. On January 16, 2026, the Board issued Interim Order LTB-L-002061-24-RV-IN which focused the Tenant's review request on the following questions:
 - Did the Member seriously err by unreasonably refusing to hear issues raised by the Tenant under s.82 of the *Residential Tenancies Act, 2006* (the 'Act');
 - Did the Member fail to consider interim order LTB-L-002061-24-RV-IN3, issued October 28, 2024, which set out some of the issues the Tenant wished to raise? And/or
 - any other issue at the discretion of the presiding Member.
7. The review hearing focused the parties' submissions on the issues outlined above. For the following reasons, I find that the Tenant's request for review must be denied.

The Request to Review

8. For context, it is important to note that the Board has clear legislative requirements regarding how and when a tenant is permitted to raise issues pursuant to section 82 of the Act.

a) The Legislative Context

9. First, the wording of section 82 is very clear; in order for a tenant to be permitted to raise issues pursuant to section 82, they must comply with the requirements set out in subsection (2). These requirements are the following:

- a) The tenant shall give advance notice to the landlord of the tenant's intent to raise the issue at the hearing.
- b) The notice shall be given within the time set out in the Rules.
- c) The notice shall be given in writing and shall comply with the Rules

10. Next, Rule 19 of the Board's *Rules of Procedure* sets out the standards which must be met in order for a tenant to be permitted to raise issues pursuant to section 82 of the Act. This Rule says:

19.4 Unless the LTB has directed or ordered otherwise, a tenant who intends to raise issues under sections 82(1) or 87(2) of the RTA during a hearing for a landlord's application about rent arrears shall provide the other parties and the LTB with the following at least 7 days before the scheduled CMH or hearing:

- **a written description of each issue the tenant intends to raise;** and
- a copy of all documents, pictures and other evidence that the tenant intends to rely upon at the hearing.

19.5 A tenant who fails to provide the LTB and other parties with **a written description of each issue** they intend to raise at the hearing as required in Rule 19.4 **shall not be permitted to raise issues under sections 82(1) or 87(2)** of the RTA during a hearing for a landlord's application about rent arrears unless the LTB is satisfied that the tenant could not comply with the requirements.

19.6 Where a tenant has provided a landlord with issues and evidence in accordance with Rule 19.4, the landlord must provide the other parties and the LTB with any responding documents, pictures and other evidence the Landlord intends to rely upon at least 5 days before the scheduled hearing.

19.7 A party who fails to comply with Rule 19 or an order or direction for disclosure **may not rely on the evidence that was not disclosed as directed or ordered**, unless otherwise ordered. [Emphasis added]

11. In order to help tenants comply with the requirements set out in Rule 19, the Board has developed a specific form for tenants to complete when they intend to raise section 82 issues. The form has space for tenants to clearly outline the issues they wish to raise, when those issues started, when they informed the landlord about the issues and what remedy they are seeking for each issue. By completing this form and serving the landlord and the Board, tenants are easily able to comply with the standards and requirements set out in the Act and the Rules.

12. In the case before me, the Tenant has failed to comply with the requirements set out in the Act and in the Rules. Rather than clearly outline the issues she intended to raise using the Board's prescribed form, she loaded copious amounts of documentation into the Board's online Portal. In fact, even though this matter has been before the Board since May 15, 2024, the Tenant has repeatedly failed to either submit the Board's required form or clearly outline exactly what issues she intends to raise.
13. The problem here is that the previous two interim order simply ignore the fact that the Tenant has failed to comply with the requirements of the Act.

b) The Interim Order issued on August 19, 2024

14. Interim Order LTB-L-002061-24-RV-IN2 issued on August 19, 2024, adjourns the Landlord's L1 application to allow the Landlord time to review the Tenant's evidence. In this order, the Member impliedly finds that the Tenant is entitled to raise her s.82 issues because she had uploaded her evidence to the Board's portal. However, the Member explicitly finds that the Tenant failed to serve the Landlord with her evidence.
15. There is no indication in this order or in the Board's file that the Tenant had either submitted the required form or clearly outlined the issues she intended to raise pursuant to section 82. In fact, what is clear from this Interim Order is that the Landlord could not ascertain exactly what issues the Tenant intended to raise and they needed additional time to prepare.
16. At the review hearing, the Landlord's legal representative expressed his frustration with the Board's hearing process as he has repeatedly explained to the Board at each hearing that he simply cannot ascertain what issues the Tenant intends to raise and has been repeatedly unable to prepare to respond to the Tenant's issues. The Landlord's position is clear in this first interim order.

c) The Interim Order issues on October 28, 2024

17. In Interim Order LTB-L-002061-24-RV-IN3 that was issued on October 28, 2024, the Board had to adjourn this matter once again to allow the Landlord time to clarify the Tenant's issues.
18. To complicate matters, this Interim Order lists four Portal document identification numbers which the Tenant apparently said outline the issues she intends to raise. However, two of the document numbers simply do not exist¹. The other two document numbers contain two pictures of a computer screen that appears to have an "essay style" document open which describe the Tenant's thoughts and feelings. Neither of these pictures clearly outline the issues the Tenant intends to raise. For example, one of the computer screens shows a portion of an essay that says:

"...I stick to myself and have a not for profit I founded to help the homeless and am constantly helping and advocating for the rights of others so finding myself in this position and being treated like a second class citizen is just awful. I have

¹ The two document numbers that do not exist in the Board's Portal are DOC-3257083 and DOC-3257096

taken so many losses living here. Mind you, I am extremely grateful for this apartment and I wish I could afford to move from here but sadly in this moment I cannot. Furthermore, I feel that it is important to stand on the truth in this situation so that discrimination does not continue to happen to other vulnerable (*sic*) people that have NO OTHER OPTIONS but to live here and that is not something that she exploited. These places are supposed to be our sanctuaries not our prisons and being forced to live in places where our basic human rights are not observed or respected..."²

19. The second picture of a computer screen contains a similar essay-style document which appears to contain a breakdown of the Tenant's alleged lost income, but also says

"...in total that adds up to \$4184 in total losses and expenses....NOW, I am not asking for this money, I would just really appreciate this being taken into consideration when making a decision."³

20. This picture of a computer screen appears to outline possible remedies the Tenant is requesting but then appears to withdraw that remedy request. It remains unclear from this document exactly what issues the Tenant intends to raise and what remedies she is requesting.
21. While it is true that this Interim Order lists six alleged "current problems" with the rental unit, it remains unclear whether the Tenant intends to raise those issues, if/when she notified the Landlord about those issues and what remedies she is seeking. In short, this list does not comply with the requirements set out in the Act and the Rules and does not provide the Landlord with the details they need in order to prepare a response.
22. In summary, the four documents mentioned in the interim order issued on October 28, 2024, do not contain a list of issues the Tenant intends to raise. Instead, two of the documents do not exist and the other two contain largely irrelevant and/or contradictory information. While the interim order does outline six alleged "current problems", it is not clear from this list whether the Tenant intends to raise all of those issues at the hearing or what remedies she is seeking.
23. At the review hearing, the Landlord reiterated his frustration with this Interim Order because he informed the Member at the time that he could not ascertain what issues the Tenant intended to raise and he was unable to prepare a response. The documents described above support the Landlord's position and I am persuaded by the Landlord's submissions on this point.

d) The Hearing on November 17, 2025

24. All of this means that, by the time the parties appeared at the hearing on November 17, 2025, they had already come before the Board multiple times, had been issued multiple

² See Board's Portal, DOC – 3257606; "*letter to ltb3*"

³ See Board's Portion, DOC – 3257606; "*letter to ltb4*"

orders, but were nowhere closer to discovering exactly what issues the Tenant intends to raise pursuant to section 82 or what remedies she was requesting.

25. The Landlord says that, at the hearing, the Member attempted to ascertain what issues the Tenant intended to raise. The Landlord says the Member was aware of the two previous interim orders and attempted to confirm with the Tenant whether she intended to raise the six “current issues” outlined in the interim order and what documents she intended to rely upon to pursue those issues. To that end, the Landlord says the Member went through some of the material with the parties including the two pictures of computer screens that have been described above.
26. The Landlord says that the hearing Member turned his mind to whether the Tenant was permitted to raise her section 82 and he decided that there was insufficient particulars to allow the Landlord to respond. The Landlord says the Member’s findings do not constitute a serious error. I agree with the Landlord.
27. First, I note that the hearing Member was not bound by the two interim orders described above. Instead, the Member was entitled to conduct his own hearing, review the documents himself and make his own determinations. It was entirely within the Member’s discretion to refuse to hear the Tenant’s section 82 issues and there is nothing unreasonable in this determination. The Member’s reasons support his findings and effectively outline his thought process and legal analysis in this regard.
28. The two previous interim orders only permitted the Tenant to raise her issues because she had loaded evidence onto the Board’s Portal. But that is not what the Act requires and it is not what procedural fairness requires. If loading evidence onto the Portal was the only precondition to raising section 82 issues, then tenants could flood the Portal with hundreds of pages of the documents and landlords would be forced to figure out how to respond. This approach would be a breach of procedural fairness and would bog down the hearing process. That is not what the legislature intended when it implemented the requirements set out in section 82 and the associated process in Rule 19.
29. I would also observe that, even at the Review hearing, the Tenant changed the issues she intended to raise and said many of the six “current issues” were already resolved by the time the last hearing happened. The Tenant then said that her only complaint was the floor in the rental unit.
30. Even so, the Tenant failed to provide a description to the Landlord of the floor issue, when it began, when/how she notified the Landlord, what steps the Landlord took in response and what remedy she was requesting. In short, even as recently as the review hearing, the Tenant had still failed to comply with the legislative requirements to properly identify the issues she intended to raise at the hearing.
31. Regarding the Tenant’s review request, I am satisfied that the Member turned his mind to the interim orders but still found that the Tenant had failed to comply with the legislative requirements by submitting a clear list of issues to the Landlord. His reasons for this are set out in paragraph 3 of the order issued on December 8, 2025. I am also satisfied that the Member turned his mind to whether the Tenant clearly outlined what remedies she was requesting. The Member concluded that the Tenant had made contradictory statements in

her documents and at the hearing and his reasons for this are outlined in paragraphs 4 and 5 of the order.

32. It was within the Member's discretion to refuse to allow the Tenant to raise her section 82 issues and I am not satisfied that this constitutes a serious error or that there was a serious error in the hearing proceeding. This means that the Tenant's review request must be denied.

The Request for Matters to be Heard Together

33. On March 25, 2026, after the review hearing, the Tenant filed a T6 application which bears Board file number LTB-T-026730-26. Also on March 25, 2026, the Tenant submitted a request to have her T6 heard together with the Landlord's L1 application. For the following reasons, the Tenant's request to have the applications heard together is denied.
34. The Landlord's L1 application was resolved by order LTB-L-002061-24 issued on December 8, 2025. Although the Tenant filed a request to review that order, the Tenant's request for review is denied. This means the Landlord's L1 application has already been heard and cannot now be heard again and combined with the Tenant's T6 application.
35. However, once the Tenant's T6 application is heard, the Adjudicator may decide to include an instruction to offset any rental arrears that remain outstanding from the order LTB-L-002061-24 issued on December 8, 2025, with any rent abatement that may result from the Tenant's T6 application. That determination remains solely within the Adjudicator's discretion following the hearing of the T6 application.
36. For all of these reasons, the Tenant's request to have the T6 application heard together with the L1 application is denied.

Lifting the Stay

37. At the review hearing, I canvassed the parties regarding when the stay of the order should be lifted in the event that I denied the Tenant's review request.
38. The Landlord says that they are open to delaying lifting the stay by 30 days as the Tenant has been consistently making payments towards the arrears and the remaining amount is approximately \$738.00. However, due to the passage of time since the review hearing, I find that it would be unreasonable to delay lifting the stay. The stay is therefore lifted immediately.
39. This order contains all the reasons within it and no further reasons will be issued.

It is ordered that:

1. The request to review order LTB-L-002061-24 issued on December 8, 2025, is denied.
2. The stay of the order issued on December 8, 2025, is lifted immediately.

April 24, 2026
Date Issued

Laura Hartslief
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.