



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

Citation: James v Mitchell, 2026 ONLTB 24862

Date: 2026-04-28

File Number: LTB-L-106261-25-RV

In the matter of: Basement, 55 DOWSWELL DR
SCARBOROUGH ON M1B1H5

Between: Clarence James Landlord

And

Naomi Mitchell Tenant

Review Order

Clarence James (the 'Landlord') applied for an order to terminate the tenancy and evict Naomi Mitchell (the 'Tenant') because the Landlord in good faith requires possession of the rental unit for the purpose of residential occupation for at least one year.

This application was resolved by order LTB-L-106261-25 issued on March 26, 2026.

On April 23, 2026, the Landlord requested a review of the order.

A preliminary review of the review request was completed without a hearing.

Determinations:

1. Although the Landlord did not attend the hearing, the Landlord's application was dismissed because the Landlord did not pay the Tenant the required compensation prior to the termination date set out in the notice to terminate the tenancy.
2. In the Landlord's request to review, the Landlord acknowledges that they did not pay the Tenant the compensation prior to the termination date set out in the notice of termination. The Landlord states that they did not do so because they did not have the Tenant's email address. This is not an acceptable reason for not paying the compensation by the required date as the Landlord could have made the payment by another method.
3. Although the Landlord's request to review also alleges that they were not reasonably able to participate in the proceeding, I did not find the Landlord submissions clear on this point, however it is not necessary to deal with this allegation as the Landlord's application would have been dismissed in any event.

4. 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 or that the Landlord was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-L-106261-25 issued on March 26, 2026 is denied. The order is confirmed and remains unchanged.

April 28, 2026
Date Issued

Richard Ferriss
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.