



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

Citation: Nirwan v Halliday, 2026 ONLTB 35498

Date: 2026-04-30

File Number: LTB-L-011874-26-RV

In the matter of: 230 Orr Street
Stratford ON N5A0J7

Between: Simarjit Singh Nirwan Landlord

And

Micheal Sterling Halliday Tenants
Ksenya Pshenychny

Review Order

Simarjit Singh Nirwan (the 'Landlord') applied for an order to terminate the tenancy and evict Micheal Sterling Halliday and Ksenya Pshenychny (the 'Tenants') because the Tenants did not pay the rent that the Tenants owe.

This application was resolved by order LTB-L-011874-26 issued on April 21, 2026.

On April 29, 2026, the Tenant Micheal Sterling Halliday requested a review of the order.

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

Determinations:

1. In the review request, the Tenant claim the April 21, 2026 order contains a serious error and that he was not reasonably able to participate at the hearing. Specifically, the Tenant seek to challenges the Member's determination not to grant relief from eviction.
2. The hearing was held on April 14, 2026 and indicates the Tenant attended the hearing. At paragraphs 13 to 16 of the order, the Member clearly turned their mind to the circumstances of the Tenant and the Landlord and the decision not to grant relief was based on the submissions of the parties.
3. The Tenant exercised his right to attend and participate at the hearing. It therefore cannot be said that the Tenant was not reasonable able to participate at the hearing.
4. Ultimately, the Member exercised their discretion not to grant relief from eviction.

5. A Member's exercise of discretion can only be successfully challenged upon review if it can be demonstrated that the Member exercised his or her discretion in an unreasonable manner. Based on the submissions of the parties at the hearing, the Member found that it would be unfair to grant relief in the circumstance and that determination falls within a reasonable range of outcomes.
6. Given all of the above, 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 Tenant was not reasonably able to participate in the proceeding.

It is ordered that:

1. The request to review order LTB-L-011874-26 issued on April 21, 2026 is denied. The order is confirmed and remains unchanged.

April 30, 2026
Date Issued

Dana Wren
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.