



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

Citation: Salandra v Morrison, 2026 ONLTB 35942

Date: 2026-05-01

File Number: LTB-L-018296-26-RV

In the matter of: 2, 36 PARK BLVD
ETOBICOKE ON M8W1G8

Between: Luigi Salandra Landlord

And

Steven Morrison Tenant
Patrick Fitzgerald

Review Order

Luigi Salandra (the 'Landlord') applied for an order to terminate the tenancy and evict Steven Morrison and Patrick Fitzgerald (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-018296-26 issued on April 8, 2026 pursuant to a hearing held on March 30, 2026.

On April 30, 2026, the Tenant requested a review of the order.

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

The document providing reasons for the Tenant's belief that order LTB-L-018296-26 contains a serious error attached to the request to review (DOC-7878585) starting at page 7 is labelled as a request to review order LTB-L-019237-26, a different order of the Board and appears to refer to that order.

On review of the Board's records, it appears that that the reasons for the request to review each of LTB-L-019237-26-SA and LTB-L-018296-26 filed by the same party on the same date were each inadvertently attached to the wrong request. I have reviewed the document attached to the request to review LTB-L-019237-26-SA (DOC-7878695) starting at page 7 labelled as "Request to Review order: LTB-L-018296-26" in considering and making determinations on this request for review.

Determinations:

1. The Tenant submits the order contains a serious error as the order contains an inappropriate remedy, incorrect information was provided by the Landlord during the

hearing, the order contains incorrect and conflicting information, the Tenant believes the Member made inappropriate comments that suggest they made a decision based on personal feelings and the process resulting in the order is unduly prejudicial to the Tenant as this matter was heard and decided prior to a hearing being held pursuant to an application the Tenant has filed with the Board.

2. The order sets out detailed reasons for the determinations made by the Member and establishes a reasonable basis for those determinations. This includes in respect of whether to exercise discretion to delay or deny eviction, the reasons for which are set out at paragraphs 37 to 39 of the order. Reasonable determinations will not be interfered with on review.
3. The remedies that are ordered, including the application of discretionary relief from eviction applied by the Member who heard all of the evidence and submissions from both sides at the hearing, are entitled to deference. The order reveals a reasonable basis for the Member's decision not to exercise their discretion to deny eviction and order a payment plan, but to instead delay termination of the tenancy to April 30, 2026. The reasonable exercise of discretion will not be interfered with on review, and I find no serious error on this basis.
4. The Tenant submits that the Member improperly applied personal feelings and made inappropriate comments in making the determinations in the order that amount to the Member not believing the Tenant will make required payments pursuant to a payment plan. Nothing in the order suggests that the Member relied on inappropriate criteria, including any personal feelings, in coming to the conclusion that they were not satisfied the Tenant would not comply with a payment plan. On the contrary, the order specifies in detail at paragraph 38 the reasons why the Member was not satisfied as to this. There is no serious error in the order on this basis.
5. The Tenant raises that as identified in the order, the Landlord initially provided inaccurate information in regard to payments made by the Tenant since the filing of the application. However, the order identifies this information at paragraph 10, and explains in detail at paragraph 10 and 11 how the arrears are calculated with recognition as to the correct payments made. Therefore, there is no error that occurs in the proceedings or order occasioned by the Landlord initially providing incorrect information. To the extent that this could constitute any error it would not be a serious error as given it was identified and addressed in the order it therefore did not change the outcome of the proceedings.
6. I have reviewed the order in reference to the incorrect or conflicting information identified in the Tenant's request to review. I find there does not appear to be incorrect or conflicting information contained in the order.
7. The Tenant's submissions contain a number of concerns related to the hearing conducted on April 21, 2026. This appears to be a reference to the hearing that resulted in order LTB-L-019237-26-SA. It appears the Tenant may be conflating statements that are found in order LTB-L-019237-26-SA, or between the two orders, for their submissions in regard to incorrect and conflicting information and for many of the complaints in the

request to review. In either event, I find there is no serious error in order LTB-L-018296-26 on this basis.

8. The Tenant submits that the outcome of order LTB-L-018296-26 would be different if their application LTB-T-037121-25 had been heard prior to the hearing of this matter. The Tenant submits it is unfair to evict the Tenant prior to the determination of this application.
9. The Tenant had the opportunity to raise any issues that could be subject to a Tenant's application pursuant to section 82 of the *Residential Tenancies Act*, 2006 in respect of this application. The Tenant did in fact raise some claims in this respect. While the order makes clear the Tenant wished to raise more issues, it provides detailed reasons at paragraphs 16 to 20 as to why certain issues were permitted to be heard and others were not. The order articulates a reasonable basis to refuse to hear further claims, and this decision is entitled to deference.
10. Further I find it is not an error of the Board to proceed with order LTB-L-018296-26 prior to a determination of LTB-T-037121-25. There is no free-standing right or principle of procedural fairness that requires all applications before the Board to be determined prior to an eviction occurring. There is no serious error in the order or proceeding on this basis.
11. Based on the submissions of the Tenant, 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-018296-26 issued on April 8, 2026 is denied. The order is confirmed and remains unchanged.

May 1, 2026
Date Issued

Benjamin Seigel
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.