



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

Citation: Vranich v Simmons, 2026 ONLTB 36232

Date: 2026-05-04

File Number: LTB-L-033445-25-RV

In the matter of: Upper Apt A, 13 ROSEMARY DR
LINDSAY ON K9V4T1

Between: Dustin Vranich Landlord

And

Pamela Simmons Tenant

Review Order

Dustin Vranich (the 'Landlord') applied for an order to terminate the tenancy and evict Pamela Simmons (the 'Tenant') because the Landlord has entered into an agreement of purchase and sale of the rental unit and the purchaser in good faith requires possession of the rental unit for the purpose of residential occupation.

The Landlord also claimed compensation for each day the Tenant remained in the unit after the termination date.

This application was resolved by order LTB-L-033445-25 issued on June 18, 2025.

On May 1, 2026, the Tenant requested a review of the order.

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

Determinations:

Request to extend time

1. The Tenant's request to extend time to file this review request is granted.

Review request

2. The order under review terminates the tenancy on June 30, 2026 because the Landlord had entered into an agreement of purchase and sale for the property and the Member found that the purchaser intended in good faith to possess the unit for the purpose of residential occupation. The order delayed the eviction for a year.

3. The Tenant submits that after the order was issued the sale of the property fell through. The Tenant submits that this is new evidence that warrants a re-hearing of the application.
4. New evidence is only a ground for review in situations where the new evidence was material to the issues in the hearing and where it was not available on the date of the hearing with the exercise of due diligence. In this case the Tenant seeks to adduce evidence that, after the hearing, the sale of the property fell through. This evidence could not have been given at the hearing because the event that it proves had not happened yet at that point and so it would not have been material evidence at the hearing. The purpose of new evidence as a ground for review is not to capture updates about a party's circumstances or updates about new events that occurred after a hearing. Board decisions are final. To find that a new hearing is required whenever there is an update to a party's circumstances, or a new event occurs, would interfere with the Board's ability to provide final decisions.
5. 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-033445-25 issued on June 18, 2025 is denied. The order is confirmed and remains unchanged.

May 4, 2026
Date Issued

Renée Lang
Vice Chair, 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.