



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

Citation: MPCT DIF DAM WEST22 INC v Walters, 2026 ONLTB 38174

Date: 2026-05-11

File Number: LTB-L-040261-25-RV

In the matter of: 2109, 22 JOHN ST
YORK ON M9N0B1

Between: MPCT DIF DAM WEST22 INC

Landlord

And

Daleford Walters
Nazare Walters

Former
Tenants

Review Order

MPCT DIF DAM WEST22 INC (the 'Landlord') applied for an order requiring Daleford Walters and Nazare Walters (the 'Former Tenants') to pay the Landlord's reasonable out-of-pocket costs that the Landlord incurred or will incur to repair or replace undue damage to property. The damage was caused wilfully or negligently by the Former Tenants, another occupant of the rental unit or someone the Former Tenants permitted in the residential complex.

This application was resolved by order LTB-L-040261-25 issued on April 13, 2026.

On May 11, 2026, the Landlord requested a review of the order.

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

Determinations:

Background

1. The Landlord filed an L10 application on May 15, 2025. On December 11, 2025, the Board issued an endorsement regarding the Landlord's service requirements and consequences for failure to put the Former Tenants on notice. Deadlines and instructions were provided to the Landlord.
2. On March 24, 2026, the Board held a hearing for the Landlord's L10 application. The Member denied the Landlord's request to adjourn the matter and ultimately dismissed the Landlord's application for failure to properly serve the Former Tenants.

The Review Request

3. 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.
4. To paraphrase, the Landlord's request for review seems to be alleging that the Board seriously erred by denying the Landlord's request for more time to locate the Former Tenants; essentially requesting an adjournment.
5. Decisions as to whether or not to grant adjournment are discretionary in nature. As stated in Interpretation Guideline # 8 reasonable discretionary decisions are not considered to be serious errors. The reasonable exercise of discretion will not normally be reviewed. So, the real question is: was it reasonable for the Member to deny the adjournment?
6. For clarity, the LTB endorsement issues on December 11, 2025 set out a compliance date of February 22, 2026. The Landlord requested an extension of time on March 19, 2026 which was denied by the Board on March 19, 2026.
7. The presiding Member contemplated the sequence of events, the steps taken by the Landlord and that the Landlord, after around eleven months, had not located the Former Tenants. The Member concluded at paragraph 19 of the order:

Although the Landlord's legal representative stated the Landlord believes he is close to locating the Former Tenants I am not persuaded that an adjournment would meaningfully improve the likelihood of finding the Former Tenant given the significant time that has passed since the Landlord first attempted to locate the Former Tenants in December 2024.

8. The order in its entirety is about the adjournment request. The Member provides clear and adequate reasons to support the ultimate outcome. The Landlord was aware of the requirement to service the Former Tenants and by the date of the hearing still had not complied. The Member considered if granting more time would result in a favourable outcome and determined, based on the actions taken by the Landlord and the length of time, that the situation would not change.
9. Given the facts before the Member, it simply cannot be said that the denial of the adjournment request was unreasonable.
10. As I am not satisfied that there is a serious error in the order or that a serious error occurred in the proceedings, the request to review the order must be denied.
11. This order contains all of the reasons for the decision within it. No further reasons shall be issued.

It is ordered that:

1. The request to review order LTB-L-040261-25 issued on April 13, 2026 is denied. The order is confirmed and remains unchanged.

May 11, 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.