



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

Citation: MetCap Living Management Inc v Samimian, 2026 ONLTB 38867

Date: 2026-05-13

File Number: LTB-L-074195-25-RV

In the matter of: 1001, 155 WELLESLEY ST E
TORONTO ON M4Y1J4

Between:	MetCap Living Management Inc	Landlord
	And	
	Negar Samimian	Tenant

Review Order

MetCap Living Management Inc (the 'Landlord') applied for an order to terminate the tenancy and evict Negar Samimian (the 'Tenant') because the Tenant did not pay the rent that the Tenant owes.

This application was resolved by order LTB-L-074195-25 issued on April 22, 2026.

On May 12, 2026, the Tenant requested a review of the order.

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

Determinations:

1. The order under review terminates the tenancy and does not grant relief from eviction because the Tenant cannot afford the monthly rent and so the tenancy is not sustainable.
2. The Tenant submits that there is new evidence, not available on the date of the hearing, that the LTB should consider.
3. 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 on April 26, 2026, which is after the hearing, a new roommate moved into the unit. This evidence could not have been given at the hearing because it did not exist 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.

4. For the reasons above I am not satisfied that the new evidence that the Tenant seeks to present warrants a re-hearing of this matter.

It is ordered that:

1. The request to review order LTB-L-074195-25 issued on April 22, 2026 is denied. The order is confirmed and remains unchanged.

May 13, 2026
Date Issued

Renée Lang
Vice Chair, 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.