



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

Citation: WDL 8 LP, c/o Tricon Residential v Annoni, 2026 ONLTB 40738

Date: 2026-05-21

File Number: LTB-L-001026-26-RV

In the matter of: 1605, 181 MILL ST
TORONTO ON M5A1C8

Between: WDL 8 LP, c/o Tricon Residential Landlord

And

Nicholas Annoni Tenant
Dale Harrison

Review Order

WDL 8 LP, c/o Tricon Residential (the 'Landlord') applied for an order to terminate the tenancy and evict Nicholas Annoni and Dale Harrison (the 'Tenant') because:

- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has substantially interfered with the reasonable enjoyment or lawful right, privilege or interest of the Landlord or another tenant.
- the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex has wilfully or negligently caused damage to the premises.

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

WDL 8 LP, c/o Tricon Residential (the 'Landlord') also applied for an order requiring Nicholas Annoni and Dale Harrison (the 'Tenant') to pay the Landlord's reasonable out-of-pocket costs the Landlord has incurred or will incur to repair or replace undue damage to property. The damage was caused wilfully or negligently by the Tenant, another occupant of the rental unit or someone the Tenant permitted in the residential complex.

This application was resolved by order LTB-L-001026-26 issued on April 22, 2026.

On May 20, 2026, the Tenant requested a review of the order.

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

Determinations:

1. The Tenant alleges that the order contains a serious error.
2. The Tenant states that subsequent to the hearing, they contacted the company who purportedly issued the invoice which the Landlord relied on at the hearing to support the out-of-pocket expenses the Landlord claimed. The Tenant states that the company told him that the invoice was fake because it lacks a unique invoice number.
3. Interpretation Guideline 8 - Review of an Order states:

A review is not an appeal or an opportunity to change the way a case was presented.

The purpose of the review process is not to provide parties with an opportunity of presenting a better or different case than they did at first instance. There is nothing in the record or in the request for review to support a determination that the Member applied improper principles in assessing the evidence introduced or that there was insufficient evidence before the Board to support its conclusions. I would not interfere with the assessment of the evidence by the Member of first instance, who had the opportunity of observing the witnesses and of hearing the evidence in its totality.

TSL-51694-14-IN-RV (Re), 2015 CanLII 23959 (ON LTB) at para 10

4. With respect to requesting a review on the basis of new evidence, Interpretation Guideline 8 - Review of an Order states:

Parties are expected to make every effort to produce all relevant evidence in support of their positions in the original hearing. The review will be dismissed unless the LTB is satisfied the new evidence could not have been produced at the original hearing, is material to the issues in dispute and its consideration could change the result. *First Homes Society v Henry*, [2002] O.J. No. 1754, (Div Ct.); NOL-16865-14-RV(Re), 2014 CanLII 78539 (ON LTB).

5. The Landlord's evidence, including the above-noted invoice, was disclosed to the Tenant on March 16, 2026 and the hearing took place on April 9, 2026. The Tenant has not explained why they did not contact the company who issued the invoice prior to the hearing date. As a result, the Tenant has not established that the new evidence they wish to rely on could not have been produced at the original hearing and the request to review must be denied on this basis.
6. Having said that, it is an offence under the Act to supply false or misleading documentation to the Board and the Tenant may wish to contact the police and/or the Rental Housing Enforcement Unit with respect to this allegation.
7. As a result, 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-001026-26 issued on April 22, 2026 is denied. The order is confirmed and remains unchanged.

May 21, 2026
Date Issued

Richard Ferriss
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.